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Thirty-eighth Session, 1932

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

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His Excellency the Right Hon'ble Sir JOHN ANDERSON, P.C., G.C.B., G.C.I.E. (from the 29th March, 1932).

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2. Public Works.

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2. Registration.

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2. Excise.

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DEPUTY PRESIDENT.

Mr. RAZAUR RAHMAN KHAN, B.L.

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3. Khan Bahadur Maulvi AZIZUL HAQUE.
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Registrar to the Council—J. W. McKAY, I.S.O.

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur. [Dacca City (Muhammadan).]
Ali, Maulvi Hassan. [Dinajpur (Muhammadan).]
Ali, Maulvi Syed Nausher. [Jessore South (Muhammadan).]
Ali, Mr. Altaf. [Bogra (Muhammadan).]
Armstrong, Mr. W. L. [Presidency and Burdwan (European).]
Austin, Mr. J. M. (Bengal Chamber of Commerce.)

B

Baksh, Maulvi Shaik Rahim. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Baksh, Maulvi Syed Majid. [Jessore North (Muhammadan).]
Bal, Babu Lalit Kumar. [Bakarganj South (Non-Muhammadan).]
Bal, Mr. Sarat Chandra. [Faridpur South (Non-Muhammadan).]
Ballabh, Rai Bahadur Debendra Nath. [24-Parganas Rural North (Non-Muhammadan).]
Banerji, Mr. P. [24-Parganas Rural South (Non-Muhammadan).]
Banerji, Rai Bahadur Keshab Chandra. [Dacca Rural (Non-Muhammadan).]
Bannerjee, Babu Jitendralal. [Birbhum (Non-Muhammadan).]
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Basu, Mr. Narendra Kumar. [Nadia (Non-Muhammadan).]
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Blandy, Mr. E. N. (Nominated Official.)
Bose, Mr. S. M., Bar.-at-Law. [Calcutta East (Non-Muhammadan)]
Bottomley, Mr. J. M. (Nominated Official.)
Bural, Babu Gokul Chand. [Calcutta South Central (Non-Muhammadan).]

C

Chatterjee, Mr. B. C., Bar.-at-Law. [Bakarganj North (Non-Muhammadan).]
Chandhuri, Babu Kishori Mohan. [Rajshahi (Non-Muhammadan).]

Chaudhuri, Dr. Jogendra Chandra. [Bogra *cum* Pabna (Non-Muhammadan).]

Chaudhuri, Khan Bahadur Maulvi Alimuzzaman. [Faridpur North (Muhammadan).]

Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman. (Nominated Non-official.)

Chaudhuri, Maulvi Syed Osman Haider. [Tippera North (Muhammadan).]

Choudhury, Maulvi Nural Absar. [Chittagong North (Muhammadan).]

Chowdhury, Haji Badi Ahmed. [Chittagong South (Muhammadan).]

Chowdhury, Maulvi Abdul Ghani, B.L. [Dacca West Rural (Muhammadan).]

Cohen, Mr. D. J. (Nominated Non-official.)

Coppinger, Major General W. V., C.I.E., D.S.O., M.D., F.R.C.S.I., I.M.S. (Nominated Official.)

Cooper, Mr. C. G. (Indian Jute Mills Association.)

D

Dain, Mr. G. R., C.I.E. (Bengal Chamber of Commerce.)

Das, Rai Bahadur Kamini Kumar, M.B.E. [Chittagong (Non-Muhammadan).]

Das, Rai Bahadur Satyendra Kumar. [Dacca City (Non-Muhammadan).]

Dutt, Rai Bahadur Dr. Haridhan. [Calcutta Central (Non-Muhammadan).]

E

Eusufji, Maulvi Nur Rahman Khan. [Mymensingh South-West (Muhammadan).]

F

Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur. [Minister.] [Tippera South (Muhammadan).]

Fawcus, Mr. L. R. (Nominated Official.)

Faslullah, Maulvi Muhammad. [Noakhali West (Muhammadan).]

Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]

G

Gangali, Rai Bahadur Susil Kumar. (Nominated Official.)

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Ghose, Rai Bahadur Sasonka Comar, C.I.E. (Dacca University.)

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Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim, KT. (Member, Executive Council.)
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Gupta, Mr. J. N., C.I.E., M.B.E. [Bankura West (Non-Muhammadan).]
Gurner, Mr. C. W. (Nominated Official.)

H

Hakim, Maulvi Abdul. [Mymensingh Central (Muhammadan).]
Haque, Khan Bahadur Maulvi Azizul. [Nadia (Muhammadan).]
Hashemy, Maulvi Syed Jalaluddin. [Khulna (Muhammadan).]
Hoque, Kazi Emdadul. [Rangpur East (Muhammadan).]
Hosain, Nawab Musharruf, Khan Bahadur. [Malda *cum* Jalpaiguri (Muhammadan).]
Hossain, Maulvi Muhammad. [Bakarganj North (Muhammadan).]
Huq, Mr. A. K. Fazl-ul. [Bakarganj West (Muhammadan).]
Hussain, Maulvi Latafat. (Nominated Non-official.)

K

Karim, Maulvi Abdul. [Burdwan Division South (Muhammadan).]
Kasem, Maulvi Abul. [Burdwan Division North (Muhammadan).]
Kerr, Mr. W. J. (Nominated Official.)
Khan, Maulvi Amin-uz-Zaman. (Nominated Official.)
Khan, Khan Sahib Maulvi Muazzam Ali. [Pabna (Muhammadan).]
Khan, Maulvi Tamizuddin. [Faridpur South (Muhammadan).]
*Khan, Mr. Razaur Rahman, B.L. [Dacca East Rural (Muhammadan).]

L

Lal Muhammad, Haji. [Rajshahi South (Muhammadan).]
Law, Mr. Surendra Nath. (Bengal National Chamber of Commerce.)
Leeson, Mr. G. W. (Bengal Chamber of Commerce.)

M

Maguire, Mr. L. T. (Anglo-Indian.)
Maiti, Mr. R. [Midnapore South (Non-Muhammadan).]
Marr, the Hon'ble Mr. A., C.I.E. (Member, Executive Council.)

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* Deputy President, Bengal Legislative Council.

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Miller, Mr. C. C. (Bengal Chamber of Commerce.)
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Momin, Khan Bahadur Muhammad Abdul. [Noakhali East (Muhammadan).]
Mookerjee, Mr. Syamaprosad, Bar.-at-Law. (Calcutta University.)
Mukherji, Rai Bahadur Satish Chandra. [Hooghly Rural (Non-Muhammadan).]
Mukhopadhaya, Rai Sahib Sarat Chandra. [Midnapore South-East (Non-Muhammadan).]
Mullick, Mr. Mukunda Behary. (Nominated Non-official.)

N

Nag, Babu Suk Lal. [Khulna (Non-Muhammadan).]
Nag, Reverend B. A. (Nominated Non-official.)
Nandy, Maharaja Sris Chandra, of Kassimbazar. (Bengal National Chamber of Commerce.)
Nazimuddin, the Hon'ble Mr. Khwaja, C.I.E. [Minister.] [Bakarganj South (Muhammadan).]
Norton, Mr. H. R. (Calcutta Trades Association.)

O

Ordish, Mr. J. E. [Dacca and Chittagong (European).]
Ormond, Mr. E. C. [Presidency and Burdwan (European).]

P

Philpot, Mr. H. C. V. (Nominated Official.)
Poddar, Mr. Ananda Mohan. (Bengal Mahajan Sabha.)
Poddar, Seth Hunuman Prosad. [Calcutta West (Non-Muhammadan).]
Prentice, the Hon'ble Mr. W. D. R., C.S.I., C.I.E. (Member, Executive Council.)

R

Raheem, Mr. A., C.I.E. [Calcutta North (Muhammadan).]
Rahman, Maulvi Azizur. [Mymensingh North-West (Muhammadan).]
Rahman, Mr. A. F. [Rangpur West (Muhammadan).]
Rahman, Mr. A. F. M. Abdur. [24-Parganas Rural (Muhammadan).]

Raikat, Mr. Prosanna Deb. [Jalpaiguri (Non-Muhammadan).]
Rai Mahasai, Munindra Deb. [Hooghly Municipal (Non-Muhammadan).]
Ray, Babu Amulyadhan. [Jessore South (Non-Muhammadan).]
Ray, Babu Khetter Mohan. [Tippera (Non-Muhammadan).]
Ray, Babu Nagendra Narayan, B.L. [Rangpur East (Non-Muhammadan).]
Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, Maharaja Jagadish Nath, of Dinajpur. [Dinajpur (Non-Muhammadan).]
Ray, Mr. Shanti Shekhareswar, M.A. [Malda (Non-Muhammadan).]
Ray Chaudhuri, Mr. K. C. (Nominated Non-official.)
*Ray Chaudhuri, the Hon'ble Raja Sir Manmatha Nath, KT., of Santosh. (Dacca Landholders.)
Ray Chowdhury, Babu Satish Chandra. [Mymensingh East (Non-Muhammadan).]
Ross, Mr. J. (Indian Tea Association.)
Rout, Babu Hoseni. [Midnapore North (Non-Muhammadan).]
Roy, Babu Haribansa. [Howrah Rural (Non-Muhammadan).]
Roy, Babu Jitendra Nath. [Jessore North (Non-Muhammadan).]
Roy, Babu Satyendra Nath. [24-Parganas Municipal South (Non-Muhammadan).]
Roy, Mr. Saileswar Singh. [Burdwan North (Non-Muhammadan).]
Roy, Mr. Sarat Kumar. (Presidency Landholders.)
Roy, the Hon'ble Mr. Bijoy Prasad Singh. [Minister.] [Burdwan South (Non-Muhammadan).]
Roy Choudhuri, Babu Hem Chandra. [Noakhali (Non-Muhammadan).]

S

Saadatullah, Maulvi Muhammad. [24-Parganas Municipal (Muhammadan).]
Sahana, Babu Satya Kinkar. [Bankura East (Non-Muhammadan).]
Samad, Maulvi Abdus. [Murshidabad (Muhammadan).]
Sarkar, Sir Jadunath, KT., C.I.E. (Nominated Non-official.)
Sarker, Rai Sahib Rebati Mohan. (Nominated Non-official.)
Sen, Mr. B. R. (Nominated Official.)
Sen, Mr. Giris Chandra. (Expert Nominated.)
Sen, Rai Sahib Akshoy Kumar. [Faridpur North (Non-Muhammadan).]
Sen Gupta, Dr. Naresh Chandra. [Mymensingh West (Non-Muhammadan).]
Shah, Maulvi Abdul Hamid. [Mymensingh East (Muhammadan).]
Singha, Mr. Arun Chandra. (Chittagong Landholders.)
Singh, Srijut Taj Bahadur. [Murshidabad (Non-Muhammadan).]

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* President of the Bengal Legislative Council.

Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur. (Burdwan Landholders.)
Sircar, Dr. Sir Nilratan, KT., M.D. [Calcutta South (Non-Muhammadan).]
Solaiman, Maulvi Muhammad. [Barrackpore Municipal (Muhammadan).]
Suhrawardy, Mr. H. S. [Calcutta South (Muhammadan).]

T

Thomas, Mr. M. P. (Indian Jute Mills Association.)
Travers, Sir Lancelot, KT., C.I.E., O.B.E. [Rajshahi (European).]

W

Wilkinson, Mr. H. R., C.I.E. (Nominated Official.)
Wordsworth, Mr. W. C. (Bengal Chamber of Commerce.)
Worthington, Mr. R. H. (Indian Mining Association.)

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Thirty-eighth Session.)

Volume XXXVIII—No. 3.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 14th March, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 101 nominated and elected members.

Oath or affirmation.

The following members made an oath or affirmation of their allegiance to the Crown:—

Mr. B. R. Sen.

Mr. G. W. Leeson.

Mr. M. P. Thomas.

Starred Questions

(to which oral answers were given).

Number of books to be approved by the Text-book Committee.

***104. Rai KESHAB CHANDRA BANERJI Bahadur:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that rule 10-vi and rule 17 of the Text-book Committee limit the number of books to be approved in English, vernacular and mathematics to 30, and in other subjects to 50?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state why the latter number was changed to 15 in the instructions printed on the forms on which the members were asked to record their opinions?

(*c*) Will the Hon'ble Minister be pleased to state what effect or result the said change had produced?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) Yes.

(*b*) and (*c*) The original intention was to limit the number of books to be approved in such other subjects to 50 for all the classes, but owing to a mistake "50 in the case of each class" was printed in the rules. It was thought that the most satisfactory way of rectifying the mistake was to alter the number to "15 in the case of each class."

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister in charge of the Education Department be pleased to state who is responsible for the mistake?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Registrar of Assurances.

***105. Dr. NARESH CHANDRA SEN GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that the Registering Officers in Calcutta going out on commission for registration of documents are usually provided with conveyance by the parties concerned?

(*b*) Is the Hon'ble Minister aware that even in such cases the present officiating Registrar of Assurances has charged travelling allowance?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, do the Government propose to take in the matter?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) When the party offers to take the Registering Officer in his car, the officer accepts the offer out of courtesy.

(b) The fees and travelling allowance prescribed by the rules are deposited at the time of the presentation of the deed and the commission is generally executed on a subsequent date. The present Registrar of Assurances has charged the travelling allowance payable in accordance with the Table of Fees.

(c) Government do not propose to take any action.

Maulvi SYED MAJID BAKSH: Does the Registrar draw any travelling allowance when he travels free?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes.

Maulvi SYED MAJID BAKSH: Is that allowable under the rules?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes.

Books and periodicals in Government colleges and schools.

*106. **MUNINDRA DEB RAI MAHASAI:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement for the last 5 years regarding each of the—

(1) Government Colleges,

(2) Normal Schools, and

(3) High Schools—

showing—

(i) the number of books added every year;

(ii) annual expenditure on books and periodicals;

(iii) establishment charges;

(iv) approximate number of books issued to students; and

(v) total number of books in stock and speciality of collection?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The compilation of these statistics would involve a laborious inquiry which Government regret they are unable to undertake.

Library books.

*167. **MUNINDRA DEB RAI MAHASAI:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the minimum library requirements prescribed by the Education Department for the secondary schools receiving grant-in-aid from the Government?

(*b*) Does the Education Department publish any list of selected books—both English and vernacular—suitable for school libraries?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) who compiles the list; and

(*ii*) when was the last list published?

(*d*) Will the Hon'ble Minister be pleased to state whether books suitable for the students of the primary classes are included in the said list?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) The Government grant-in-aid rules do not specifically lay down the minimum requirements of libraries of secondary schools.

(*b*) Yes.

(*c*) (*i*) The Director of Public Instruction, Bengal.

(*ii*) In December, 1926. A new list is under preparation.

(*d*) Yes.

Maulvi SYED MAJID BAKSH: Does the Director of Public Instruction compile the list after reading the books?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Not always.

Maulvi SYED MAJID BAKSH: How does he compile the list without reading the books?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: With the help of his assistants.

Detenus.

***108. Mr. SYAMAPROSAD MOOKERJEE:** Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing—

(i) the total number of persons at present detained or imprisoned for political offences under the ordinary law or any of the special ordinances; and

(ii) the number of such political prisoners that may have been released or discharged during the last six months?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (i) Up to the 4th February the number of persons convicted in connection with the civil disobedience movement under the ordinary law and under Ordinances II, IV and V of 1932 was 3,186.

(ii) The number of such persons discharged after arrest up to the same date was 1,106.

Tangail-Mymensingh road.

***109. Maulvi NUR RAHMAN KHAN EUSUFJI:** (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the Government on the recommendation of the Road Board intends to do any works in the district of Mymensingh?

(b) If the answer to (a) is in the affirmative, what are the roads intended to be undertaken?

(c) Is it a fact that the construction of the District Board road running from Mymensingh to Tangail *via* Madhupur and leading up to Mirzapur will be taken up?

(d) If the answer to (c) is in the affirmative, what is the estimated cost of the construction of the said road?

(e) Will the new road be constructed along the line of the existing District Board road, or according to convenience, will it be allowed to deviate in some places?

(f) When will the said construction be actually undertaken?

(g) When is it expected to be completed?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*), (*b*), (*c*) and (*d*) The five-year programme approved by the Government of India includes an item of Rs. 3,75,000 for the reconstruction and bridging of the Tangail-Mymensingh road.

(*e*) The District Board appear to favour bridging and reconstruction along the line of the existing road but the estimates have not yet been received in their final form.

(*f*) When the estimates are sanctioned.

(*g*) No forecast can at present be made.

Maulvi NUR RAHMAN KHAN EUSUFJI: Will the Hon'ble Minister be pleased to state whether that is the only solitary work that has to be done in the Mymensingh district?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Number of persons arrested and convicted in connection with the civil disobedience movement.

***110. Maulvi HASSAN ALI:** Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing—

(*i*) the total number of persons in Bengal arrested in connection with the civil disobedience movement up to the 1st of February, 1932;

(*ii*) the number of persons convicted in connection with that movement up to the first week of February, 1932, district by district;

(*iii*) how many of those referred to in (*ii*) are, district by district,—

(*a*) Muhammadans;

(*b*) Hindus; and

(*c*) females?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*) Up to the 4th of February, 1932, the total number of arrests was 4,292.

(*ii*) A statement is laid on the table.

(*iii*) (*a*) and (*b*) Information has not been received, and is not readily available.

(*c*) A statement is laid on the table.

Statement referred to in the reply to clause (ii) of starred question No. 110 showing the total number of convictions in connection with civil disobedience movement up to 4th February, 1932, district by district.

Burdwan	...	136
Suri	...	7
Bankura	...	74
Midnapore	...	218
Hooghly	...	230
Howrah	...	33
24-Parganas	...	259
Calcutta	...	517
Krishnagar	...	96
Berhampore	...	134
Jessore	...	11
Khulna	...	63
Rajshahi	...	78
Dinajpur	...	137
Jalpaiguri	...	119
Darjeeling	...	8
Rangpur	...	50
Bogra	...	109
Pabna	...	118
Malda	...	5
Dacca	...	193
Mymensingh	...	18
Faridpur	...	249
Barisal	...	23
Comilla	...	247
Chittagong	...	1
Noakhali	...	53
Total	...	3,186

Statement referred to in the reply to clause (iii) (c) of starred question No. 110 showing the number of females convicted in connection with the civil disobedience movement up to 4th February, 1932, district by district.

Burdwan	...	8
Suri	...	1
Bankura	...	...
Midnapore	...	3
Hooghly	...	6
Howrah	...	4
24-Parganas	...	...
Calcutta	...	55
Krishnagar	...	15
Berhampore	...	6
Jessore	...	...
Khulna	...	18
Rajshahi	...	...
Dinajpur	...	18
Jalpaiguri	...	...
Darjeeling	...	...
Rangpur	...	...
Bogra	...	14
Pabna	...	10
Malda	...	...
Dacca	...	3
Mymensingh	...	...
Faridpur	...	...
Barisal	...	...
Comilla	...	12
Chittagong	...	...
Noakhali	...	...
Total	...	**173**

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if the Government propose to release immediately the female prisoners convicted in connection with the civil disobedience movement?

The Hon'ble Mr. W. D. R. PRENTICE: Those who will give an undertaking will be released.

Non-official visitors of Chittagong Jail.

*111. **Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state—

(*i*) what is the present number of jail visitors in Chittagong;

(*ii*) who they are; and

(*iii*) of them, who visited the Chittagong Jail last, and when?

(*b*) Have any orders been issued prohibiting the non-official visitors from visiting the Chittagong Jail?

(*c*) If the answer to (*b*) is in the affirmative, what is the reason for the issue of the said orders?

(*d*) If no such orders are in force, why was the permission withheld even when the intention to visit the jail was expressed in writing by a non-official visitor?

(*e*) Is it permissible for jail visitors to visit the jail concerned whenever they so desire?

(*f*) If the answer to (*e*) is in the negative, what are the reasons?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) (*i*), (*ii*) and (*iii*) At present there are two non-official visitors, namely, Haji Badi Ahmed Chowdhury, the questioner himself, and Maulvi Nural Absar Choudhury, M.L.C., of whom the former visited the jail last on the 19th March, 1930.

(*b*) No.

(*c*) Does not arise.

(*d*) Government have no information of such permission having been withheld.

(*e*) Yes.

(*f*) Does not arise.

Badarkhali Co-operative Colonisation.

*112. **Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries (Co-operative) Department be pleased to state whether he knows of any proposal to erect this year an embankment in Block No. 3 of the Badarkhali Co-operative Colonisation?

(*b*) If so, do the Government intend contributing any money towards the erection of the said embankment?

MINISTER in charge of AGRICULTURE and INDUSTRIES (CO-OPERATIVE) DEPARTMENT (the Hon'ble Nawab K. G. M. Farequi, Khan Bahadur): (*a*) No.

(*b*) The question does not arise.

Separation of the Legislative Department from the Council Department.

*113. **Mr. S. M. BOSE:** (*a*) With reference to starred question No. 12 answered on the 20th July, 1931, will the Hon'ble Member in charge of the Legislative Department be pleased to state—

(*i*) what progress has now been made towards the establishment of a separate Legislative Council Department under the Hon'ble the President;

(*ii*) whether any scheme about this has been framed or approved by Government;

(*iii*) whether any scheme or proposal regarding this has been received from the Hon'ble the President, and if so, whether such scheme or proposal involves any, and if so, what additional staff or expenditure; and

(*iv*) whether he contemplates placing any scheme for the suggested separate Legislative Council Department before this Council; and if so, when?

(*b*) Is the Hon'ble Member aware of the names of all the provincial Legislative Councils where such a scheme has been already introduced?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state whether in any of the Provincial Councils where the scheme has been introduced, the post of Secretary is held by a member of the Indian Civil Service?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) (*i*) The principle of separation has been accepted by Government. The present position is that further proposals have been received from the Hon'ble the President and were discussed at the conference held on the 22nd January, 1932, under the Chairmanship of His Excellency the Governor and attended by the Hon'ble Members in charge of the Finance and Legislative Departments, respectively, the Hon'ble the President of the Legislative Council and the Secretary in the Legislative Department.

(*ii*) Schemes have been framed by the Hon'ble the President and the Legislative Department but none has so far been approved by Government on the grounds of difficulties of practical application and extra cost.

(*iii*) See the answer to (*ii*). The Hon'ble the President's original scheme which is more or less restricted to the staff necessary for the proposed Council Department has been considered, *inter alia*, to make insufficient provision both in regard to personnel and rates of pay. This scheme together with the staff considered necessary for the separated Legislative Department will, if the Hon'ble President's proposals in regard to personnel and rates of salary are adhered to, require an extra monthly sum of approximately Rs. 566.

(*iv*) The Hon'ble the President's further proposals are under consideration. Any scheme which the Government sanction will be brought to the notice of the Council.

(*b*) Yes.

(*c*) Government have no reliable information but will inquire and inform the questioner.

Maulvi NUR RAHMAN KHAN EUSUFJI: Will the Hon'ble Member be pleased to state whether it is a fact that the question of extra cost is the only difficulty in the way of separation?

The Hon'ble Sir B. B. GHOSE: Yes, just now it is so.

Maulvi SYED JALALUDDIN HASHEMY: Is the Hon'ble Member considering the desirability of reducing or withholding all extra expenses in giving effect to the separation at once?

The Hon'ble Sir B. B. GHOSE: The question seems to be one of cost and if extra cost is involved, it will be very difficult to incur it just now.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state the total amount of extra cost required for this separation?

The Hon'ble Sir B. B. GHOSE: It is given in answer to (*a*) (*iii*), *viz.*, Rs. 556.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state the extra cost for the upkeep and maintenance of the separate department?

The Hon'ble Sir B. B. GHOSE: I want notice.

Babu JITENDRALAL BANNERJEE: Is the Hon'ble Member aware that with the initiation of the reforms extra cost will be incurred for the purpose of separating the Legislative Department from the Council Department?

The Hon'ble Sir B. B. GHOSE: The question is hypothetical and I am not aware what extra cost will be necessary.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether the extra cost mentioned in the answer, *viz.*, Rs. 556, is not trivial considering the unanimous wishes of the Council in the matter?

The Hon'ble Sir B. B. GHOSE: It is a question of opinion. It is for the Finance Member to say whether he is prepared to pay the money.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether it is not a fact that since the removal of this department to the present building, additional expenditure, both recurring and non-recurring, has extraordinarily gone up by thousands of rupees?

The Hon'ble Sir B. B. GHOSE: I want notice.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether it is not possible to adjust the expenditure in such a way that it would not cost Rs. 556 in sanctioning a separate comprehensive scheme?

The Hon'ble Sir B. B. GHOSE: The Hon'ble Finance Member has not yet been able to do it, and I suppose further questions will be unnecessary because the Government is committed to the principle of separation.

Babu JITENDRALAL BANNERJEE: Is the sum of Rs. 556 like the last straw that will precipitate the bankruptcy of this Government?

The Hon'ble Sir B. B. GHOSE: Possibly.

Maulvi NUR RAHMAN KHAN EUSUFJI: Will the Hon'ble Member be pleased to refer to the answer given by the Hon'ble Sir Provash Chunder Mitter on the 24th of July last saying that "extra cost does not stand in the way of separation"?

The Hon'ble Sir B. B. GHOSE: The financial conditions have changed since then.

Wesleyan Mission Collegiate School, Bankura.

*114. **Babu SATYA KINKAR SAHANA:** (*a*) Has the attention of the Hon'ble Minister in charge of the Education Department been drawn to the useful work done by the Wesleyan Mission Collegiate School in the town of Bankura?

(*b*) Is it a fact that—

(*i*) the said school is situated on the eastern side of the town; and

(*ii*) the Wesleyan Mission College, to which the said school is an ancillary, is on the western side?

(*c*) Has the attention of the Hon'ble Minister been drawn to the fact that the great distance between the college and the collegiate school stands in the way of close supervision and other improvements of the school by the college authorities?

(*d*) Is it a fact that the college authorities projected the removal of the school building to the spacious college compound comprising more than one hundred and ten bighas of land and moved the authorities for permission?

(*e*) Is it a fact that permission was not granted owing to the proximity of the Zilla School?

(*f*) If the answers to (*d*) and (*e*) are in the affirmative, will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of granting necessary permission allowing the authorities of the Wesleyan Mission Collegiate School to remove the school building to the college compound?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) No. He is, however, aware that the school is doing good work.

(*b*) (*i*) Yes.

(*ii*) Yes.

(*c*) Yes: this is one of the arguments used in favour of its removal.

(*d*) Yes. They applied for permission to begin the work in anticipation of receiving a building grant from Government.

(*e*) No. Government raised no objection on the ground of the proximity of the Zilla School. They informed the school authorities that no permission was necessary. If the school authorities proceeded with the construction of the new buildings, they must do so on their own responsibility, as it was not possible to say when, if at all, a building grant could be given towards the scheme.

(*f*) The question does not arise.

Text-books for middle schools.

*115. **Rai KESHAB CHANDRA BANERJI Bahadur:** With reference to the Correction Slip No. 1 to the Bengal Education Code, 1931 (page 395), under the heading "III—The Duties of Schools in relation to the approved lists of books," will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) what is meant by the words "an undesirable book" in clause 23 of the same correction slip; and

(*ii*) the reasons for not extending to the unaided middle schools the privilege of selecting books from outside the list of text-books approved by the Text-book Committee given to the unaided high schools?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) An undesirable book is one containing sentiments which are objectionable on moral, political or religious grounds.

(*ii*) Pupils in middle schools, unaided as well as aided, are eligible to compete for middle scholarships, which are awarded by Government and the examinations for which are conducted by the Education Department. To secure a uniform standard of efficiency in middle schools, it has been provided that candidates from an unaided middle school, in which text-books outside the approved list are in use, shall be liable to exclusion from competition for these scholarships. A similar proviso was not applied to high school scholarships because these are awarded on the results of the Matriculation examination, the text-books for which are selected by the University.

Excise licenses to women.

*116. **Mr. R. MAITI:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries (Excise) Department be pleased to state what action has been taken for giving effect to the promise made by him in this Council on the 18th March, 1931, "to discourage in future settling shops with women irrespective of the consequences on the revenue of the department"?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a comparative statement showing district by district in the presidency, the reduction in the number of female licensees for the said shop in 1931 as compared with those in the previous year?

MINISTER in charge of AGRICULTURE and INDUSTRIES (EXCISE) DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) The Collector of the district referred to in the undertaking given on March 18, 1931, has been directed to settle no more *pachwai* shops with women.

(*b*) As the undertaking was given on a date when the settlements of excise shops for 1931 would in normal cases be complete, no purpose will be served by instituting a comparison between the number of female licensees in 1931 and in the previous year.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state whether after the direction given to the Collector of the district, any more shops were settled with women?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Certainly not.

State Medical Faculty Examination Centre at Dacca.

*117. **Rai SATYENDRA KUMAR DAS Bahadur:** (*a*) Will the Hon'ble Member in charge of the Local Self-Government (Medical) Department be pleased to state whether the members of the State Medical Faculty visited Dacca to consider the proposal of making Dacca an examination centre?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a copy of the report of the said committee?

MEMBER in charge of LOCAL SELF-GOVERNMENT (MEDICAL) DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) A committee of five members of the governing body of the State

Medical Faculty was appointed to consider this question of whom three visited Dacca on the occasion of the inspection of a local institution.

(b) No report has yet been submitted to Government but it is understood that the committee referred to above are considering the report of these three members.

Rai SATYENDRA KUMAR DAS Bahadur: Will the Hon'ble Member be pleased to state when the Government expects to finally consider the report of the committee in question?

The Hon'ble Mr. W. D. R. PRENTICE: When it is submitted.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Member be pleased to state since when he has been placed in charge of the Medical Department?

The Hon'ble Mr. W. D. R. PRENTICE: I have been placed in charge of Medical education.

Calcutta Corporation.

***118. Mr. P. N. GUHA:** (a) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that charges of neglect of duty, political bias, racial discrimination, irresponsible way of spending the rate-payers' money, favouritism, extraordinary delay and running the entire machinery of the Corporation for the benefit of a particular political organisation have been frequently levelled against the Corporation and denied by the people in charge of the institution?

(b) Is the Hon'ble Minister aware that widespread dissatisfaction prevails in Calcutta against the way in which the administration of the Corporation is conducted by a certain number of Councillors who had always been in the majority since 1924 and who belong to a certain political organisation?

(c) If the answers to (a) and (b) are in the affirmative, will the Hon'ble Minister be pleased to state whether the Government are, in the interest of the Corporation, thinking of inquiring into the working of the Corporation?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (a) and (b) Government are aware that such complaints have been made.

(c) Government are considering the desirability of appointing a committee for this purpose.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state who are the parties who made these complaints?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The public of Calcutta.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether it is not a fact that the Corporation are elected by a vote of the majority of the people of Calcutta?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Mr. SYAMAPROSAD MOOKERJEE: Is the Hon'ble Minister aware that certain complaints were forwarded to the Corporation for consideration?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Complaints appeared in the Minutes of the Corporation, and were presumably by the members of the Corporation itself.

Babu JITENDRALAL BANNERJEE: Has any definite complaint been made to Government?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: No, not yet.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether, if the Corporation was elected by majority of the rate-payers, it was the minority who were making such complaints?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: That is a matter of opinion.

Calcutta Corporation.

***119. Mr. P. N. GUHA:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that since 1924 the Corporation has invariably appointed Executive Officers and departmental heads only for short periods and thereby kept them in suspense regarding their future career?

(*b*) Is the Hon'ble Minister aware of the general complaint in Calcutta that the Councillors of the Corporation interfere too much in the work of the executive authorities and thereby make it impossible for them to maintain proper discipline amongst the staff?

(c) If the answers to (a) and (b) are in the affirmative, will the Hon'ble Minister be pleased to state if, in the interest of the work of the Corporation, Government are thinking of devising ways and means to make the position of the officers engaged in doing the work of the day to day administration more secure and unembarrassing?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (a) and (b) Government are aware that these complaints have been made.

(c) See reply to clause (c) of starred question asked by Mr. P. N. Guha at this meeting on an identical subject.

Maulvi SYED JALALUDDIN HASHEMY: Is the Hon'ble Minister aware that Mr. P. N. Guha is a nominated member of the Corporation?

(No answer).

Calcutta Corporation.

***120. Mr. P. N. GUHA:** (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the Government contemplate reviewing the working of the new Municipal Act in the city of Calcutta?

(b) Is the Hon'ble Minister aware of the probable separation of the Garden Reach area and of the small amending bills that have been passed by this Council or are pending decision?

(c) If the answer to (b) is in the affirmative, are the Government considering the desirability of—

(i) taking the whole act into consideration in the near future; and

(ii) appointing a committee with proper representation of the Corporation in it to make a thorough, searching and complete inquiry into the working of the present Act since it was brought into force and to submit a comprehensive report for the guidance of the Government in their task of making necessary amendment?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (a) See the answer to clause (c) of starred question asked by Mr. P. N. Guha at this meeting on an identical subject.

(b) Yes.

(c) (i) and (ii) See (a).

Inspectors and Inspectresses of Schools.

*121. **Maulvi ABDUS SAMAD:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what are the rules that govern the transfer of—

(*i*) Divisional Inspectors of Schools,

(*ii*) Divisional Inspectresses of Schools,

(*iii*) Assistant Inspector of Schools, and

(*iv*) Assistant Inspectress of Schools?

(*b*) Where can the rules be found in detail?

(*c*) Is it a fact that the posts of Divisional Inspectors and Divisional Inspectresses of Schools are filled by senior-most Assistant Inspectors or Assistant Inspectresses respectively?

(*d*) If the answer to (*c*) is in the negative, will the Hon'ble Minister be pleased to state how such vacancies are filled up?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) and (*b*) There are no rules governing such transfers.

(*c*) No: not necessarily. More importance is attached to merit than to seniority.

(*d*) The posts of Divisional Inspectors of Schools and of Inspectresses of Schools are in the Indian Educational Service, and since the stoppage of appointment to that service from 1924 the vacancies in such posts have been filled, on an officiating basis, by competent officers of the Bengal Educational Service either of the inspecting or of the teaching line. Seniority is not the only criterion for selection for such posts; experience and administrative ability, coupled with seniority, are the factors which determine the selection.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Minister be pleased to state how long it is desired to keep these officers on an officiating basis?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: As soon as we introduce the grade I of the Educational service, this will cease.

Khan Bahadur MUHAMMAD ABDUL MOMIN: When do the Government contemplate introducing that?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It is still under consideration.

Mr. NARENDRA KUMAR BASU: Is it not a fact that this time last year, the Hon'ble Minister stated that the grading would be introduced in the course of 1931?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes, under the circumstances I was compelled to say that: the scheme is not yet complete.

Maulvi SYED MAJID BAKSH: Is it not a fact that grade I has already been introduced?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No.

Who to decide establishment questions.

*122. **Maulvi ABDUS SAMAD:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that for administrative purposes, the member in charge of a particular department is regarded as the Local Government?

(*b*) Is it a fact that for decision of establishment questions or departmental matters, the member in charge of the department concerned is regarded as the Local Government?

(*c*) Is it a fact that the orders of the member in charge are invariably sought whenever the orders of the Local Government on establishment matters are necessary?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*), (*b*) and (*c*) "Local Government" is defined in section 134 (*4*) of the Government of India Act and all business including establishment matters, both on the reserved and on the transferred sides, is transacted in accordance with the provisions of section 49 of the Act, and the rules and orders framed thereunder.

Stenographers.

*123. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to lay on the table a statement showing for the Bengal Secretariat and elsewhere under the Bengal Government—

(*i*) the present total strength of stenographers;

(*ii*) the total number of recruitments made since the year 1921; and

(*iii*) the names of the recruited candidates?

(*b*) Are the Government considering the desirability of appointing Muslim candidates in future vacancies as stenographers until their proportionate number is reached?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) A statement is laid on the table so far as the Bengal Secretariat is concerned. As regards other offices under this Government, the information is not available and could not be obtained without a laborious inquiry which Government regret they are not prepared to undertake.

(*b*) No definite proportion has been fixed for Muhammadan recruitment to these posts. But every endeavour will be made to recruit Muhammadans on the occurrence of permanent vacancies, if suitable candidates present themselves.

Statement referred to in the answer to clause (a) of starred question No. 123 of stenographers of the Bengal Secretariat.

(*i*) The present total strength of stenographers—21.

(*ii*) The total number of recruitments made since the year 1921—8.

(*iii*) The names of the recruited candidates:—

1. Babu Satish Chandra Banerji, B.A.
2. Mr. A. Jagadisan.
3. Babu Jatindra Nath Mukherji.
4. Babu Nagendra Nath Banerji.
5. Babu Saroj Kumar Nag Choudhury.
6. Babu Tarak Nath Dutt.
7. Babu Tulsilochan Ganguly.
8. Babu Probodh Prokash Roy.

Maulvi SYED MAJID BAKSH: With regard to statement (*iii*) are we to understand that except the first, all the rest are non-graduates?

The Hon'ble Mr. A. MARR: It appears so.

Maulvi SYED MAJID BAKSH: Is it not very difficult for non-graduates to report speeches correctly?

The Hon'ble Mr. A. MARR: Not necessarily.

Maulvi SYED MAJID BAKSH: Is it not a fact that some of the speakers have experienced difficulty as regards the reporting of their speeches, and that in some cases, the reporters have invented speeches from their memories?

The Hon'ble Mr. A. MARR: That depends on the quality of the speeches.

Allowances to employees for work in the Bengal Legislative Council.

***124. Dr. JOGENDRA CHANDRA CHAUDHURI:** (*a*) Will the Hon'ble Member in charge of the Legislative Department be pleased to state whether any allowance is given to the reporters for reporting the Council speeches?

(*b*) If so, what is the rate of such allowances?

(*c*) Is it a fact that they are all Government employees?

(*d*) Will the Hon'ble Member be pleased to state whether any such allowances are also given to any other employees for Council work?

(*e*) If so, what is the rate of such allowances?

The Hon'ble Sir B. B. GHOSE: (*a*) Yes.

(*b*) Five senior reporters get special pay at Rs. 150 each per mensem and five junior reporters get special pay at Rs. 75 each per mensem.

(*c*) Yes.

(*d*) Yes, to some assistants and typists of the Legislative Department on Council meeting days.

(*e*) The rates are as follows:—

Upper Division assistants at Rs. 5 each per day.

Lower Division assistants at Rs. 4 each per day.

Typists at Rs. 3 each per day.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state why the Legislative Department Assistants are treated differently from the reporters in the matter of allowances?

The Hon'ble Sir B. B. GHOSE: I do not understand. I want notice.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether the Hon'ble the President's clerk is getting any allowance?

The Hon'ble Sir B. B. GHOSE: I want notice.

Maulvi NUR RAHMAN KHAN EUSUFJI: Will the Hon'ble Member be pleased to state why the reporters are paid allowances throughout the year although they are required to work for a certain number of days only?

The Hon'ble Sir B. B. GHOSE: I want notice.

Maulvi NUR RAHMAN KHAN EUSUFJI: Is it a fact that these allowances are treated as part of their pay, and count towards pension?

The Hon'ble Sir B. B. GHOSE: I want notice, as I do not know the facts.

Maulvi SYED JALALUDDIN HASHEMY: May I know why the Hon'ble Sir B. B. Ghose should reply to questions with regard to the reporters who are under the Finance Department? The Hon'ble Finance Member used to reply to such questions in the past.

The Hon'ble Sir B. B. GHOSE: I want notice.

Publication of the statement of Srimati Bina Das in the newspaper.

*125. **Mr. SHANTI SHEKHARESWAR RAY:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the Press Officer issued instructions to newspapers in Calcutta not to publish the statement of Srimati Bina Das made before the Special Tribunal?

(*b*) Is the Hon'ble Member aware that a part of the statement was published in the *Statesman*?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) The member is referred to the replies given on the 22nd February, 1932, to similar questions asked by Mr. Syamaprosad Mookerjee.

(*b*) Yes.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the part of the statement which appeared in the *Statesman*, was published with the approval of the Press Officer?

The Hon'ble Mr. W. D. R. PRENTICE: The *Statesman* published an expurgated edition as advised by the Press Officer.

Additional District Magistrate, Midnapore.

***128. Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the notices under section 4 of the Emergency Powers Ordinance (Ordinance No. II of 1932) have been served upon many persons in the district of Midnapore over the signature of the Additional District Magistrate of Midnapore over designation given thereunder as "District Magistrate, Midnapore"?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether the Additional District Magistrate of Midnapore has been authorised under the said Ordinance to sign the said notices in the manner as described above or to exercise any power which is delegated to him by the District Magistrate of Midnapore?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Yes. A number of orders were signed by the Additional District Magistrate under the impression that he was empowered to do so in virtue of notification No. 1428 A., dated the 16th February, 1931, vesting him with all the powers of a District Magistrate.

(*b*) The District Magistrate, Midnapore, has been advised to authorise the Additional District Magistrate, under section 57(*3*), Emergency Powers Ordinance, 1932, to exercise any of the powers of the District Magistrate under chapter II of the Ordinance, in the circumstances specified in sub-section 3 of section 57.

Mr. R. MAITI: With reference to answer (*a*), will the Hon'ble Member be pleased to state whether there was any prosecution under the notices served by the Additional District Magistrate?

The Hon'ble Mr. W. D. R. PRENTICE: I want notice.

Unstarred Questions

(answers to which were laid on the table).

Bengal Moslem Education Advisory Committee.

85. Mr. A. F. M. ABDUR RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state when the Bengal Moslem Education Advisory Committee will finish its work?

(*b*) Is the Hon'ble Minister aware that there is a feeling of widespread unrest among the Mussalmans apprehending the abolition of Special Islamic Institution—Maktab or Madrasah?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) As the Committee is still taking evidence, it is not possible to say when the Committee will finish its work.

(*b*) No.

Badarkhali Co-operative Colonisation.

66. Haji BADI AHMED CHOWDHURY: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries (Co-operative) Department be pleased to state whether they intend reclaiming this year the jungly piece of land of the Badarkhali Co-operative Colonisation by clearing jungles and erecting embankment?

(*b*) If the answer to (*a*) is in the negative, are the Government considering the desirability of settling this land at a reasonable rate of rent with those local agriculturists who are willing to take the settlement on condition of clearing the jungles and of erecting embankment?

The Hon'ble Nawab K. C. M. FAROQUI, Khan Bahadur: (*a*) The Chittagong Zilla Krishi Samiti which has taken up the Badarkhali Colonisation scheme intends to complete the colonisation of Block No. 1 and to reclaim fully the 2nd Block this year. It is proposed to reclaim the last block next year.

(*b*) In view of the circumstances detailed in the reply to question (*a*), the answer to this question is in the negative.

Moslem candidates for excise and opium shops.

67. Khan Sahib Maulvi MUAZZAM ALI KHAN: (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries (Excise) Department be pleased to lay on the table a statement showing for the last three years, district by district, in the province—

(*i*) the total number of—

(*1*) Moslem, and

(*2*) non-Moslem

vendors dealing in *ganja*, opium, country spirit and *foreign* liquor;

(*ii*) the number of vacancies under the above heads; and

(*iii*) the number filled up by—

(*1*) Moslems, and

(*2*) non-Moslems?

(*b*) Are the Government considering the desirability of keeping an approved list in each district of suitable Moslem candidates for excise and opium shops as is the practice in Calcutta?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) Statements furnishing the information for the last three years and up to 31st December, 1931, are placed on the library table.

(*b*) It will appear from the Remarks Column of the statements that approved lists of suitable Moslem candidates are maintained in certain districts. Orders have been issued for the maintenance of such lists in all the districts except Darjeeling.

Bengal Rural Primary Education Act, 1930.

68. Babu SUK LAL NAG: Will the Hon'ble Minister in charge of the Education Department be pleased to state whether in the present financial and political crisis the Government are considering the desirability—

(*i*) of postponing the operation of the Bengal Rural Primary Education Act, 1930 (Bengal Act VII of 1930); and

(*ii*) of encouraging union boards in establishing free primary schools under Biss' scheme empowering Magistrates on the recommendation of the union boards concerned, to fine guardians neglecting to send their wards to the nearest school?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) In view of the present financial and economic condition of the province, Government regret that it is impossible to bring the Act into full operation but they are considering the possibility of introducing it partially in those districts, where the district boards are willing to make over to the District School boards to be formed under the Act the amounts now spent by them on primary education.

(*ii*) No.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state whether there is a widespread demand by the public for the immediate enforcement of the Act in spite of distress?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state when Government intend to bring the Act into operation in the province?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: That depends on economic conditions of the province.

Maulvi TAMIZUDDIN KHAN: Has the Government any idea as to when the economic distress is likely to disappear from the province?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am afraid neither the Government nor anybody else can give any answer.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state in what districts the Act is contemplated to be put into operation?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I do not think it is advisable at this stage to answer this question, because the matter has not yet been definitely decided.

Maulvi TAMIZUDDIN KHAN: It is proposed to put portions of the Act into operation in some districts? What portions of the Act are contemplated to be brought into operation?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: District School Boards will be established, but the cess will not be imposed.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state the number of districts boards from which replies have been received to the inquiries made to these boards?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: About 7 or 8.

3-30 p.m.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state the names of the district boards?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Speaking from memory, I can mention Faridpur, Pabna, Chittagong, Noakhali, Jessore, Tippera, Mymensingh, Khulna and Bakarganj.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to tell us when the Government is contemplating to introduce this Act into these districts?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: As I have said, we are still in correspondence with them and till our terms are accepted by the district boards, we cannot say which of the district boards will come under our schemes.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state the nature of the correspondence between the Government and the district boards?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The district boards agreed to our claims subject to certain conditions and some of those conditions are impossible.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to state what steps Government have taken for the adequate supply of teachers?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I submit that this question does not arise.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Minister be pleased to state whether the Government will agree to bring the Act into operation in a district where the majority of the people in spite of their acute economic distress want the Act to be introduced?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: If Government are satisfied that the majority of the people are really wanting to have the Act introduced, Government will consider the desirability of introducing it.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Minister be pleased to state how the Government will be satisfied? Is the Government going to make a referendum to the people of the districts?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It is for the districts to satisfy the Government that the majority of the people want it.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to state if the land-holding class also will be consulted before introducing the measure in any particular district?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Certainly.

Agricultural and Industrial Schools in the 24-Parganas.

69. **Mr. A. F. M. ABDUR RAHMAN:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing for the present for the district of the 24-Parganas—

(*i*) the number and locations of the agricultural and industrial schools;

(*ii*) the amount of grant received by each such institution either from the district board or from the Government;

(*iii*) the subjects taught; and

(*iv*) the number of Moslem and non-Moslem boys receiving instruction in each institution?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab K. G. M. Faroqui, Khan Bahadur): (*i*), (*ii*) (*iii*) and (*iv*) A statement furnishing the particulars in respect of industrial schools in the district of the 24-Parganas is laid on the library table. There are no agricultural schools in the district.

Administration of Thakurgaon Improvement Fund.

70. **Dr. NARESH CHANDRA SEN GUPTA:** (*a*) Has the attention of the Hon'ble Member in charge of the Appointment Department been drawn to the evidence in several criminal cases brought against Babu Jogesh Chandra Gupta, a pleader of Thakurgaon, regarding Mr. Phanindra Nath Mukherjee and his administration of the Thakurgaon Improvement Fund?

(*b*) If the answers to (*a*) are in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) what steps have been taken to have a thorough investigation into the matter; and

(*ii*) to punish the officer in question if he is guilty?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes; the extract from a judgment which is printed below states the facts in connection with this fund.

(*b*) (*i*) The Divisional Commissioner investigated the matter.

(*ii*) None: for none were justified.

Extract referred to in the answer to clause (a) of unstarred question No. 70 from one of the judgments giving the history of the Thakurgaon Improvement Fund.

It appears from the evidence on record that a fund existed at Thakurgaon from long before September, 1926, when Babu Phanindra Nath Mukherjee joined there as the Subdivisional Officer. Money was realised from the litigant public for works of public utility. There was no Managing Committee. Nor were there any accounts. The money was with the Subdivisional Head Clerk and at the disposal of the Subdivisional Officer. Phanindra Babu formed a committee and started accounts. The Subdivisional Officer became the President and the Subdivisional Head Clerk the Treasurer of the Committee. The latter also keep accounts. The local Munsif and Babu Bepin Behari Sarkar, pleader, were made Vice-Presidents. Babu Girindra Chandra Chaudhury, pleader, and Babu Mohan Chandra Karmakar, mukhtear, were made Joint Secretaries. The accused Jogesh Babu was a member of the Committee. The fund was named "The Thakurgaon Improvement Fund." Money was realised from parties in criminal cases on printed receipts. The Subdivisional Officer also realised money from the landlords and big *jotedars* without granting them any receipt. All money realised was credited to the fund. And in this way a sum of Rs. 23,000 or so was realised till a month or two before the institution of the present cases against Jogesh Babu when the Subdivisional Officer directed that no more money should be paid to the fund. I have gone through the accounts and am of opinion that they are on the whole satisfactory. The money realised from the litigant public was mostly for the withdrawal of non-compoundable cases and for compromising cases compoundable with the permission of the court. And there is evidence to show that on many occasions the Subdivisional Magistrate did not allow cases to be withdrawn or compounded although parties were ready to make payments. Whether it was proper for the Subdivisional Magistrate to realise the money in this way or not is quite a different thing. But there is nowhere any suggestion that he misappropriated a single farthing. And it is admitted on either side that there have been in Phanindra Babu's time various acts of public utility at Thakurgaon, *viz.*, the

extension of the Muhammadan boys' hostel, the making and the lighting of the streets, the construction of the burning *ghat* and the burial ground, etc., with the Improvement Fund money.

Zamindars' lands and revenue.

71. **Maulvi TAMIZUDDIN KHAN:** Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing for the present—

(*i*) the total amount of land revenue annually payable by landed proprietors (*zamindars*, *talukdars*, etc.) in the province;

(*ii*) the total amount of rent annually realisable by holders of revenue-paying estates from their tenants; and

(*iii*) the total quantity of *khamar* lands held as *nij khamar* by holders of revenue-paying estates?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*i*) The total current demand of land revenue for the province in 1930-31 excluding arrears and excluding the revenue of estates under direct management was Rs. 2,41,13,169.

(*ii*) Statistics of rent payable to proprietors of revenue-paying estates are not available.

(*iii*) Particulars regarding proprietors' *khas* land and *khamar* lands where such exist will be found in Settlement reports, but figures for the whole province are not available.

Grants to the district board, Hooghly, for anti-malarial works.

72. **Babu HARIBANSA ROY:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) the amount paid to the Hooghly district board by Government during the year 1930-31 as grants for anti-malarial works; and

(*ii*) the amount actually paid to the union boards or anti-malarial societies for such works?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*i*) Amounts paid to the Hooghly district board in 1930-31 directly and indirectly contributing to anti-malarial works were—

	Rs.
(1) Anti-malaria grant	... 6,500
(2) Quinine grant	... 3,279 (exclusive of grant of Rs. 3,324 distributed through Civil Surgeon).
(3) Rural health units	... 20,991

(*ii*) No such grants are paid direct to union boards. Grants paid by Government to anti-malarial societies were—

	Rs.
Chandrakona quinine	... 310
Central Co-operative Anti-Malarial Society	... 3,300
Birnagar Palli Mandal	... 3,000
Bandel Malaria Society	... 450

Rent enhancement suits in Mymensingh.

73. Maulvi ABDUL HAKIM: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is a fact that for the year 1930, in the district of Mymensingh, the number of rent suits, with prayers for enhancement of rents, was 1,681?

(*b*) Will the Hon'ble Member be pleased to lay on the table a statement showing for the year 1929 in each of the Munsifs' Courts in the district of Mymensingh—

(*i*) the number of suits instituted by the landlords for enhancement of rents;

(*ii*) the maximum rate of enhancement per rupee demanded in those suits; and

(*iii*) the maximum rate of enhancement of rent per rupee decreed in these suits?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) A statement is laid on the table.

Statement referred to in the answer to clause (b) of unstarred question No. 73.

Courts.	The number of suits instituted by the landlord for enhancement of rents during the year 1929.	The maximum rate of enhancement per rupee demanded in these suits.			The maximum rate of enhancement of rent per rupee decreed in these suits.		
1	2	3			4		
		Rs.	a.	p.	Rs.	a.	p.
Munsif of Sadar, 1st Court*	....	2	4	0	0	4	0
Munsif of Sadar, 2nd Court	268	0	14	0	0	10	0
Munsif of Sadar, 3rd Court*	....	0	6	0	0	4	0
Munsif of Iswarganj	116	0	8	0	0	8	0
Munsif of Iswarganj, Additional Court* ..	....	0	8	0	0	2	6
Munsif of Netrakona, 1st Court	261	0	8	0	0	3	3
Munsif of Netrakona, 2nd Court* ..	....	0	8	0	0	3	3
Munsif of Netrakona, 3rd Court* ..	....	0	8	0	0	4	0
Munsif of Netrakona, 4th Court* ..	....	0	8	0	0	3	0
Munsif of Kishoreganj	385	0	8	0	0	4	0
Munsif of Bajitpur, 1st Court	672	2	4	0	0	3	0
Munsif of Bajitpur, 2nd Court ..	104	2	4	0	0	3	0
Munsif of Jamalpur, 1st Court ..	113	0	8	0	0	4	0
Munsif of Jamalpur, 2nd Court ..	72	0	8	0	0	4	0
Munsif of Sherpore	18	0	8	0	0	3	0
Munsif of Tangail, 1st Court	54	0	8	0	0	3	0
Munsif of Tangail, 2nd Court*	....	0	8	0	0	3	9
Munsif of Tangail, 3rd Court*	....	0	9	0	0	3	0

*No rent suits are instituted in these courts.

Maulvi SYED MAJID BAKSH: Is it not a fact that an enhancement of ten annas and eight annas in the rupee is exorbitant?

The Hon'ble Mr. W. D. R. PRENTICE: It was as decreed in the suits.

Maulvi ABDUL HAKIM: Will the Hon'ble Member be pleased to state why and how an enhancement of rent has been shown for courts marked with star while it appears that no rent suits are instituted in those courts?

The Hon'ble Mr. W. D. R. PRENTICE: I understand that rent suits can be transferred from other courts for trial in these courts.

Individual voting system in municipalities.

74. Babu JITENDRALAL BANNERJEE: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that the Dhakuria Club submitted a representation to the Local Self-Government Department regarding the method of voting in the different branches of the self-government institutions with reference to—

(*i*) rule 22 (proviso 2) of the Election Rules for *mufassal* municipalities;

(*ii*) rules 7 and 35 of the Election Rules for the union committees and local bodies; and

(*iii*) rule 18 of Election Rules for union boards?

(*b*) Will the Hon'ble Minister be pleased to state whether any suggestion was made to the Government regarding the introduction of individual voting system in the municipalities?

(*c*) If the answer to (*b*) is in the affirmative, what action, if any, has Government taken in that connection?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) and (*b*) A copy of a letter dated the 27th June, 1931, which appears to be that referred to is laid on the table.

(*c*) The revision of the Bengal Municipal Election Rules on this and other points will be considered after the passing of legislation now contemplated for the Amendment of the Bengal Municipal Act.

Letter referred to in the answer to clauses (a) and (b) of unstarred question No. 74.

Dhakuria Club,
Dhakuria P. O.,
The 27th June, 1931.

From—Rai Sahib A. C. Chunder, Secretary, Dhakuria Club,

To—The Secretary to the Government of Bengal, Local Self-Government Department.

Election Rules for Mufassal *Municipalities.*

I have the honour to invite a reference to rule 22 of the Rules published under notification No. 2180M., dated the 4th July, 1925, and to state that under proviso 2 of the said rule each voter is permitted to give *all* or *any number* of the votes to which he is entitled to any one candidate.

2. The rules as framed allowed what is known as plural voting which, as a principle, has been discarded in the elections to practically all public bodies in India beginning from the Council of State down to the union boards in villages.

3. It is submitted that the basic principle of representative Government is being denied to the *mufassal* municipalities in Bengal under the above rules framed by the Government.

4. I need not dilate on the effects produced in the constitution of a body where representatives are elected by what is known as plural voting. In a word the representatives so elected are not really the representatives of the people but the representatives of a certain class or coterie among the electors.

5. In this connection I beg to draw your attention to rules 7 and 35 of the Rules published under notification, dated the 15th December, 1885, for the election of members to union committees and local boards and rule 18 of the Rules published for the election of members to the union boards under notification No. 630 T.—L. S. G., dated the 13th October, 1919, which distinctly lay down that the electors are not allowed to give more than one vote to a single candidate.

6. In the circumstances I request you to be good enough to place it before the Hon'ble Minister in charge, so that the grievances herein mentioned may be removed before the next general election of the Collygunge Municipality which takes place on the 24th August, 1931.

Grant to the union boards in the Hooghly district.

75. Babu HARIBANSA ROY: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state the amount of grant, if any, paid by Government to union boards of the Hooghly district during the year 1930-31?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Nil.

DEMANDS FOR SUPPLEMENTARY GRANTS.

"45—Superannuation allowances and pensions," "45A—Commutation of pensions financed from ordinary revenues" and "60B—Payment of commuted value of pensions."

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 50,000 be granted for expenditure under the heads "45—Superannuation allowances and pensions," "45A—Commutation of pensions financed from ordinary revenues," and "60B—Payment of commuted value of pensions."

Sir, the details of these figures have been given in the Memorandum, copies of which have been circulated. It will be seen from this Memorandum that we have arrived at these figures on the basis of the latest information of the actual expenditure of this and other provinces. This simply means that we have to revise our revised figures and we now expect under these two heads an excess of Rs. 50,000. Unless this excess is voted, the matter will have to come before the Public Accounts Committee in due course. To avoid this, I now ask the Council to vote this sum.

Maulvi SYED JALALUDDIN HASHEMY: I beg to mave that the demand of Rs. 50,000 under the heads "45—Superannuation allowances and pensions," "45A—Commutation of pensions financed from ordinary revenues" and "60B—Payment of commuted value of pensions" be reduced by Rs. 500 (to raise a discussion as to how economy can be effected in this expenditure).

Sir, in moving this motion, I would like to say a few words. My idea is that pensions are granted to Government servants for subsistence in their old age. But nowadays we find more applications for commutation of pensions than in previous years and I believe the reason for this is that these pension-holders are losing their confidence in the Government and are, therefore, sending in applications for commutation of pensions. Sir, my point is this that commutation of pensions should not be allowed on principle. The intention is that a pensioner should enjoy his pension for a few years in his old age and that his pension should not be reduced by commuting it for a lump sum. In such cases where a Government servant who has been retired dies one or two months after having commuted his pension, the Government becomes a loser, and it is not fair to spend public money in this way. So I request the Hon'ble Mr. Marr to consider whether the system of commutation of pensions should be abolished and to take steps if necessary to abolish it altogether.

The Hon'ble Mr. A. MARR: Sir, I take it that the mover's intention is wholly confined to the commutation of pensions. He has no intention to reduce the rates of pensions themselves. As regards commutation of pensions, there is certainly some force in what the mover has said. At the same time, there is a desire expressed by many pensioners to get a certain portion of their pensions commuted, mainly for the purpose of building a house, and we have recognised this claim for many years now. It was for that reason that in ordinary years we provided a sum of Rs. 6,00,000 a year for commutation of this class of pensions, but during the last two years on account of adverse financial circumstances, we have had to reduce very much the sum that we used to budget under this head. Even now there are applications which have

been pending for three years for want of money and I think it would be very hard on these men who have come near the top of the list and have in the meantime incurred expenditure in building houses, if they should be deprived of this advantage. It would indeed be hard on them if we were to turn round to them and say that we have abolished the system of commutation of pensions altogether. For these reasons I ask the House to reject the motion.

Babu JITENDRALAL BANNERJEE: Is it a fact that as compared with the Government of India, the budget allotment for commutation of pensions has been inadequate?

The Hon'ble Mr. A. MARR: Yes, we used to budget Rs. 6,00,000 every year, but we had to reduce it to Rs. 2,50,000 during the last two years, and, therefore, we have had to reduce commutations of pensions in proportion.

Babu JITENDRALAL BANNERJEE: Is it a fact that their applications are not readily attended to as those of the Government of India?

The Hon'ble Mr. A. MARR: Yes, they are. As soon as the budget is passed, the ready cases are disposed of up to the limit of the budget provision. It naturally takes a long time for a man at the bottom of the list of applicants to work up to the top.

The motion that the demand of Rs. 50,000 under the heads "45—Superannuation allowances and pensions," "45A—Commutation of pensions financed from ordinary revenues," and "60B—Payment of commuted value of pensions" be reduced by Rs. 500 (to raise a discussion as to how economy can be effected in this expenditure) was then put and lost.

The motion that a sum of Rs. 50,000 be granted for expenditure under the heads "45—Superannuation allowances and pensions," "45A—Commutation of pensions financed from ordinary revenues" and "60B—Payment of commuted value of pensions" was then put and agreed to.

Loans and Advances.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 6,77,000 be granted for expenditure under the head "Loans and advances by Provincial Government—Class I—Loans under the Land Improvement and Agriculturists' Loans Acts" in 1931-32.

The details of this demand have been given in the Memorandum, copies of which have been circulated to the members of the House. Again, we are working on three years' actuals.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I beg to move that the demand of Rs. 6,77,000 under the head "Loans and advances by Provincial Government—Class I—Loans under the Land Improvement and Agriculturists' Loans Acts" in 1931-32, be reduced by Rs. 100 (to discuss the inadequacy of the grant—to suggest measures to give relief to the agriculturists—to discuss the methods of distribution of this loan).

Sir, in moving my motion, I shall not refer to all the districts of Bengal. It is a fact that economic depression is prevailing throughout Bengal, but I shall make a reference to a small subdivision in the district of Mymensingh. My hon'ble friend Dr. N. C. Sen Gupta is not present here, but he represents this subdivision. Sir, my information is this and the information has reached me from a very reliable source that in the subdivision of Tangail almost all agriculturists are in such a deplorable position that they cannot get any money from any local money-lenders nor have they got any other source to borrow money from to purchase their seeds for the coming year's crops. Under the circumstances, they approached some big *zamindars* of that subdivision, of Calcutta and of some other places and they also went to some organisations which are rendering help to these people.

This Rs. 6,77,000 is inadequate and I think there is no difference of opinion in this House that for a province like Bengal, particularly East Bengal, which has been devastated by recent floods, it is up to the Government to make provisions for these agriculturists, specially in the district of Mymensingh. If Government fail to give them proper relief now to enable them to purchase seeds for next year, I am afraid there will be a very bad agrarian movement, and the result will be that there will be unrest and discontent throughout the district and the neighbouring places.

3-45 p.m.

I, therefore, sound a note of warning to Government that particularly this year they must exercise care and caution to deal with the position and I, therefore, suggest to the Hon'ble Member to make provision for the agriculturists of Bengal for this year in a way so that they will be able to purchase their seeds in due time.

The following motions were called but not moved:—

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 6,77,000 for expenditure under the head 'Loans and advances by

Provincial Government—Class I—Loans under the Land Improvement and Agriculturists' Loans Acts' in 1931-32, be reduced by Re. 1 (to discuss the inequality in the distribution of this loan)."

Mr. H. S. SUHRAWARDY: "That the demand of Rs. 6,77,000 be granted for expenditure under the head 'Loans and advances by Provincial Government—Class I—Loans under the Land Improvement and Agriculturists' Loans Act' in 1931-32, be reduced by Re. 1 (to protest against the inadequacy of the expenditure under the above head)."

The Hon'ble Sir B. B. GHOSE: Government have met all demands for loans and have from time to time made special inquiries to ascertain the amounts likely to be required. Very late in the year an unexpected demand was received and Rs. 45,000 have been allotted to a certain district at the beginning of this month. Government have recognised that it is absolutely necessary to provide loans to enable people to produce crops and it is believed that the money distributed has been ample for this purpose.

Government, however, consider that where money is required for maintenance, it is better to provide it in the form of test relief works where it is possible to open such works. The figures for attendance at test relief works show that the situation has been dealt with adequately.

With regard to Mymensingh, before the flood Rs. 50,000 was allotted for agricultural loans, and after the flood another Rs. 50,000, for test relief works, Rs. 75,000, and for gratuitous relief Rs. 6,000; so it makes Rs. 1,00,000 for agricultural loan, Rs. 75,000 for test relief works and R. 6,000 for gratuitous relief. We have made inquiries about the situation in Tangail and the Collector says that there is no demand for any further loans from that subdivision, but we have kept in reserve a sum of Rs. 48,000 for the purpose of giving loans as the local officers are not sure whether this amount would be necessary during this month or the next month. This amount may not be wanted this month, but to be on the safe side, we have asked for it. On this ground I submit that it would be well if Mr. Hashemy will withdraw his motion.

The motion that the demand of Rs. 6,77,000 under the head "Loans and advances by Provincial Government—Class I—Loans under the Land Improvement and Agriculturists' Loans Acts" in 1931-32, be reduced by Rs. 100 (to discuss the inadequacy of the grant—to suggest measures to give relief to the agriculturists—to discuss the methods of the distribution of this loan) was then put and lost.

The motion that a sum of Rs. 6,77,000 be granted for expenditure under the head "Loans and advances by Provincial Government—Class I—Loans under the Land Improvement and Agriculturists' Loans Acts" in 1931-32, was then put and agreed to.

5—Land Revenue.

The Hon'ble Sir B. B. GHOSE: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 39,04,000 be granted for expenditure under the head "5—Land Revenue."

The details of this demand are given on page 30 of the Civil Budget Estimate. The subdivisions of this head are shown in the table annexed. Primary units and detailed heads are not shown in the table as they are too numerous.

The total demand is Rs. 39·04 lakhs as against Rs. 41·11 of the budget of 1931-32 and the actuals of the three preceding years were—

1928-29.	1929-30.	1930-31
Rs.	Rs.	Rs.
46·73	45·10	45 37

All items which are not essential or immediately remunerative have been excluded, and the present estimate represents the minimum requirement which is not susceptible of further cut. Brief explanations have been given on page 33 of the Financial Statement about the reasons for reductions in the budget estimates.

Charges of Administration—Road Cess Valuation and Revaluation Establishment—

Actual, 1930-31—Rs. 1·39.

Revised, 1931-32—Rs. 1·21.

Estimate, 1932-33—Rs 1·38.

It has been decided that no new revaluation operation will be taken up next year. The estimate for 1932-33 provides for expenditure on the operations now in progress in the districts of Birbhum, Murshidabad, Faridpur, Bakarganj, Chittagong and Tippera. The programme of these operations too has been curtailed as far as possible.

Management of Government Estates—

Actuals, 1930-31—Rs. 15·05.

Revised, 1931-32—Rs. 15·01.

Estimate, 1932-33—Rs. 14·86.

The estimate of 1932-33 includes Rs. 5·08 for payment of road and public works cess to district boards and Rs. 52,708 for the payment

of occupiers' share of taxes for Panchannagram holdings payable to the Calcutta Corporation. These amounts are recoverable from tenants. The estimate, therefore, includes Rs. 9,25,312 only for management and improvement of Government estates including colonisation of Sundarbans. Thus—

Management—Rs. 5,77,292.

Improvement—Rs. 2,20,000.

Colonisation of the Sundarbans—Rs. 1,28,000.

The management grant has been reduced to about 8·5 *per cent.* only on the estimated collection of Rs. 67,30,000. Under the head "Improvement" provision has been made for really urgent and necessary items. The programme of the colonisation of Sundarbans too has been curtailed and the estimate of local officers has been reduced by Rs. 97,000. No further curtailment is possible.

Survey and Settlement.—On account of the financial stringency, the proposed survey and settlement operations in the districts of Howrah, Dinajpur and Mymensingh have been postponed. Land revenue resettlement operations have already been initiated in the district of Jalpaiguri and similar operations will be started in 1932-33 in the district of Midnapore with a view to increase the revenue of Government, the resettlements being already due.

The result of the postponements of the operations is shown thus—

(*i*) Major Survey Budget has been reduced by Rs. 16,000 during 1931-32 and Rs. 18,000 during 1932-33,

(*ii*) Major Settlement Budget by Rs. 1,44,600 (Rs. 1,39,150 voted and Rs. 5,450 non-voted), during 1932-33,

While for the resettlement operations referred to, the Minor Settlement Budget has been increased by Rs. 44,600. A very large number of proprietors having come forward to ask for the maintenance of the records of their estates, a sum of Rs. 50,000 in addition has been provided in the Minor budget for the work, the proprietors being required to deposit the corresponding amount in advance before the work is started in the respective estates.

The statement on page 32 of the Financial Statement shows the works which relate to this department. It will be seen that out of the 6 items shown in it, expenditure is proposed in respect of 3 only in the year 1932-33. Out of these 3, the 2 works at Rangpur are works in progress and are essential and cannot be stopped. Only one new work is proposed for 1932-33, *i.e.*, construction of a combined residence for the Settlement Officer and Assistant Settlement Officer, Rangpur, at a cost of Rs. 50,000.

As the settlement will go on for some years and no residence is available at Rangpur, it is necessary to build one. The capital cost of the house will not be debited to the settlement, only the rent while it is required for settlement work. The cost of the house will be Rs. 50,000, but it will be economical in the long run to build a good house as it is required for the residence of the District Judge.

3-45 p.m.

Babu JITENDRALAL BANNERJEE: I beg to move that the demand of Rs. 30,000 under the head "5A—Charges of Administration—Pay of land acquisition officers" be reduced by Rs. 101 (to draw attention to certain matters in connection with the working of the Land Acquisition Deputy Collector of the 24-Parganas).

Sir, my object in making this motion is to elicit information about one particular officer, *viz.*, Rai Bahadur Jamini Mohan Ghosh who has been posted for some time as Special Land Acquisition Officer in the 24-Parganas district. If the information elicited is satisfactory, I have no desire to push the matter any further.

Sir, we understood that there was a wholesome rule of Government service according to which Government officers were shifted from one place to another after a fixed period of, say, three years. But there has been a striking departure from this rule in the case of Rai Bahadur Jamini Mohan Ghosh who has been stationed at Alipore for the last six years since July, 1926. One should like to know why there has been this remarkable departure from rule in the present case.

Again, there is a wholesome rule of the department—Mr. Prentice should know something about it, for it was he who laid it down—by which Land Acquisition Officers are required to make local payments when the amount of award is small so that poor people may not have to travel all the way up to district headquarters in order to receive payment of a few rupees. But the officer in question does not observe this rule, with great resulting inconvenience to the public.

Again, where joint awards are made, the Land Acquisition Officer is required to ascertain the amount that is payable to each individual claimant so that there may be no difficulty in drawing the amount. But the present officer neglects this salutary rule so that people to whom compensation has been awarded find the greatest difficulty in withdrawing their respective shares.

Some time ago this officer was granted a motor-car allowance of Rs. 150 per month in consideration of his work in connection with the Calcutta Chord Railway. The work, such as it is, has been long over and done with, but the officer still continues to draw his allowance. Why?

But there is one case which is more serious and important than any that I have just mentioned. In connection with the acquisition of a certain area in Dakshineswar, the previous Land Acquisition Officer had made an award of Rs. 13,000. The case went on reference where a compromise was effected by the present Land Acquisition Officer by enhancing the award to Rs. 50,000. And we should like to be satisfied about the reason of this enormous difference. This transaction, I understand, was the subject of a question in the Council some time ago; and the answer given by the Hon'ble Member is a remarkable instance, either of the ignorance of the Government or of the Government's desire to mystify and mislead the Council. It was suggested by the Hon'ble Member that the difference was due to the fact that no compensation had been given for certain plots in the original award. I am now in complete possession of the facts and shall show how misleading this answer was.

The area involved in the transaction was 2 *bighas* and 6 *kathas*. Out of this compensation had been given for 1 *bigha* and 19 *kathas*, leaving only a balance of 7 *kathas* for which no compensation had been made. These 7 *kathas* were waste land covered with jungle and *dobas* and with no structure thereon. And yet for these 7 *kathas* of waste land, the Rai Bahadur agreed to a compensation of Rs. 39,000. Rupees 9,000 for 1 *bigha* 19 *kathas* and Rs. 39,000 for 7 *kathas*! And I should like to hear from the Hon'ble Member his explanation of this mystery!

The Hon'ble Sir B. B. GHOSE: Sir, I must first say that the statement of the mover that there is a rule that every five years a Government servant is moved from his station is not correct. With regard to Land Acquisition Officers, the services of a particular officer may be required for a certain purpose, and the services of this particular officer were required for the Calcutta Chord Railway. Now, a persistent attack has been made against this officer since April last. First of all certain communications appeared in the newspapers—in the *Liberty*. This was followed by several more letters in the Press in the same strain——

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. Is the Hon'ble Member entitled to refer to what appeared in the newspapers?

Mr. PRESIDENT: Why not? He may be allowed to develop his case in his own way.

Babu JITENDRALAL BANNERJEE: The assumption seems to be that my information is based on newspaper reports; but that is not so.

Mr. PRESIDENT: *He has not said anything to that effect. You can well afford to wait till he says so. We do not yet know why he is referring to what appeared in certain newspapers.*

Babu JITENDRALAL BANNERJEE: But in Parliament, Sir, this is not allowed.

Mr. PRESIDENT: You cannot base your case on the information given in the newspapers; but at the same time it is unthinkable that you cannot refer to what appeared in the newspapers in order to develop your case if you think such a course advantageous to you. If you listen to the Hon'ble Member with patience, you may not have any occasion to raise any objection.

The Hon'ble Sir B. B. GHOSE: I referred to the newspaper reports in order to make clear why it was necessary to make an inquiry. What I was going to say is that there was an inquiry into the conduct of this officer and I mentioned the newspaper reports because these were relevant in connection with this inquiry,—why this inquiry was made and the circumstances leading to this inquiry. It was found that the allegations were groundless and that the Rai Bahadur was the object of an unjustified attack. This was followed by three questions in Council last month dealing with the matter which had appeared in the newspapers and full answers were given. In the present session also there are four more questions on very nearly the same subject and answers to them also will be ready in a few days. From the communications in the Press and the questions in Council the charges may be summarised as follows:—

The most important item is regarding the compromise of certain cases of acquisition for railway. In this matter, the railway authorities at first took as much of a garden house as was required for the rail-road leading to the new Wellington Bridge, as this Council rejected the grant asked for the roadway for vehicular traffic and footpath over the bridge. Accordingly, awards were made in four cases concerning the garden house. The claimant being dissatisfied with the award filed petitions for reference before the Land Acquisition Judge. It may be stated that by an order of the Government of India, the East Indian Railway conduct their own cases and engage their own lawyers and even the Legal Remembrancer exercises no control, and as such the Land Acquisition Officer had no hand in the conduct of the reference cases. In 1928, after the sanction of grant for the roadway by this Council, further acquisition of the garden house was necessary, and the claimant filed a claim for Rs. 10,00,000. During the pendency of the four reference cases before the Judge and before the awards in the supplementary cases were ready, the Engineer-in-Chief of the

railway, on the advice of the lawyers conducting the cases, compromised the cases with the claimant for a lump sum of Rs. 50,000 including all claims for damages, severance, injurious affection and statutory allowance of 15 per cent. and the Judge in his order sent instruction to the land Acquisition Officer to give effect to the terms of the compromise. With the approval of the Collector of the district, the Land Acquisition Officer framed his award in the supplementary cases for making up the total amount of compromise. So it is quite clear that this Land Acquisition Officer had no hand in fixing Rs. 50,000 as compensation. He did it under the orders of the Land Acquisition Judge who made the order having regard to the terms of the compromise entered into by the railway authorities with the claimant.

Under the terms of the compromise decree, the claimant was to demolish the structures within six weeks, and the materials were taken charge of by the railway authorities and disposed of by them. The Land Acquisition Officer had absolutely no hand in regard to the demolition and disposal of the structures. I may add that the railway authorities have their own lawyers and they are quite capable of looking after their own interest; and they are certainly not to be led by any Land Acquisition Officer, however long his service may be.

With regard to local payments, a statement was laid on the table in answer to the interpellation of Mr. P. Banerji. It will be evident that local payments are made in many cases and there has been no complaint of hardship by any one.

Then, Sir, there was a case of double payment of Rs. 16 and odd out of payments covering several lakhs and as soon as this was brought to the notice of the Land Acquisition Officer by the Accounts Officer, the person receiving the money paid it back within two days.

These are the two points which, I understand, have been raised against the Land Acquisition Officer, and I do not think there is any substance in them.

Babu JITENDRALAL BANNERJEE: The Hon'ble Member said that the railway Engineer compromised the case. But under the provisions of the Act is not the Land Acquisition Officer the only person who can compromise a case? The parties have no right in this respect.

The Hon'ble Sir B. B. GHOSE: If the parties agree to a certain amount of money to be paid by way of compensation, no Land Acquisition Officer would refuse to accept that compromise.

Babu JITENDRALAL BANNERJEE: But this is not permissible under the law.

The Hon'ble Sir B. B. GHOSE: Well, Sir, I am not very learned in the law.

The motion of Babu Jitendralal Bannerjee was then put and lost.

[At 4-10 p.m. the Council was adjourned for prayer and it reassembled at 4-25 p.m.]

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 1,75,000 under the head "5A—Charges of Administration—Land Acquisition Establishment" be reduced by Rs. 100 (delay in Land Acquisition proceedings—with special reference to the acquisition of Banstala Burning Ghat)."

Sir, in moving my cut motion under the head "Land Acquisition" I beg to draw the attention of the Government and the hon'ble members of this Council to the most deplorable state of the oldest burning *ghat* at Howrah, popularly known as the Banstala Burning Ghat. I would very briefly describe the features of the existing burning *ghat* which is objectionable from various points of view. With the growth of the town of Howrah, a thickly populated *bustee* has sprung up around the place and a big factory, known as the Howrah Flour Mills, is situated on the adjoining land to the east. During the process of burning of dead bodies, offensive gases are given off and these find easy access to the surrounding houses and huts on account of their extreme proximity to the burning ground and cause annoyance, discomfort and injury to the health of their occupants.

Attempts were made as early as 1893 for the shifting of the burning *ghat* to the river side on the Ramkrishnapur Grand Foreshore Road, but from the available records I find that the military authorities of Fort William objected to its riverside removal on the ground that the offensive gases in the process of burning of dead bodies in Howrah on the west bank of the river will affect the health of the warriors on the east bank in Fort William. It was further contended that the health-seekers would also be highly inconvenienced while they would take a stroll and drive in their *garry* on the river side in Calcutta. Unfortunately for me and my fellow residents of Howrah the preposterous objections were allowed and the proceedings were dropped. The same fate met the project for a site in the Grand Foreshore Road in Ram-Krishnapur in 1911. The matter was taken up in right earnest by late Rai Charu Chandra Sinha Bahadur of revered memory, the Chairman of the Howrah Municipality in 1924, and correspondence passed between him on the one side and the Port Commissioners, Collector of Howrah, Commissioner, Burdwan Division, and the Secretary of the Local Government. Besides the objections referred to above, other objections are principally based on the ground of health by the depot-owners and mill authorities and on the ground of loss of trade

by the Port Commissioners. In his letter No. 196G., dated 8th May, 1925, the Collector of Howrah submitted a report to the Commissioner, Burdwan Division, to the following effect: since it deals with various aspects of the questions, I beg leave to state rather in detail the most important portions:—

"As would appear from a comparative map attached showing the changes in the position of the river during the last century and a half, the present site originally stood on the river side—a fact also borne out in the common with the rest of Hindu cremation places all over the country, by the designation of '*ghat*' attached to it. The river has gradually shifted to its present position throwing the old burning *ghat* inland by about 600 yards which is the distance in a straight line from the river at the present moment."

"The intervening land known as the Ramkrishnapur Char Tauji No. 4031 was Government property until about the eighties of the last century when it was made over to the Commissioners for the Port of Calcutta as a revenue-free grant in perpetuity (*vide* correspondence resting with your memorandum No. 148R.G., dated 28th February, 1921)."

"Under a well-known Hindu custom quite a large quantity of Ganges water for various purposes is an essential requisite in a Hindu cremation ceremony, *e.g.*, for bathing the corpse before cremation, washing and cooling the pyre and for bathing of the mourners, after the cremation."

"As many as 50 or 60 pitcherfuls of water, the number varying according to the number of mourners are necessary for the second purpose alone. All the water for the purpose has got to be carried by the mourners themselves who usually include in their number young and old of both sexes, even children."

I am now coming to the most vital part of the problem:—

"The distance actually to be traversed by the road route from the present burning *ghat* to the river (Chintamoni *ghat*) is about half a mile. The difficulties of procuring the requisite quantity of ganges water from such a distance have been considerably enhanced by the growing congestion of vehicular traffic for which this locality is well known and also by the constant shunting of trains over the Foreshore Railway, there being double lines in this particular locality."

"The objections on sanitary grounds against the present site are quite cogent and strong, as has been explained in the municipal Chairman's letter No. 2445-G., dated 8th November, 1924, and No. 3735G., dated 16th February, 1925."

"A populous *bustee* has sprung up around the site."

"There is a keen feeling amongst the Hindu public in favour of the removal of the site to the river side and it has found expression in the form of public meeting and newspaper agitation."

"A burning *ghat* on the Ganges is a highly covetable institution to a Hindu from the point of view of religion and people from long distance come to avail themselves of such site."

"As an illustration it may be mentioned incidentally that it is the custom of the Burdwan *Raj* Family to avail themselves of no other burning *ghat* except the one at Kalna on the Ganges even though the distance to be traversed by road from Burdwan is about 30 to 40 miles."

"It would appear that at Banstala burning *ghat* even persons from distant places like Domjur and Jagatballavpur (12 and 15 miles off respectively) come for the purpose of cremation."

The recommendation of the Collector was as follows:—

"I am satisfied that the present cremation site is quite unsuitable for its purpose and I am strongly in favour of its removal to a site on the river side, if possible."

"No portion of the main land on the foresore is proposed to be taken up. The entire site would lie on the river side between the high water and low water marks."

The above extracts have considered all sides of the question, *viz.*, the insanitary state of the present burning *ghat*, impropriety of the objections of the Port Commissioners, the religious side of the cremation ceremony with all its paraphernalia, the practical difficulties of the Hindu public for its distance from the river caused by the shunting on the railway lines and the vehicular traffic and the depth of feeling of the Hindus who urgently press for its removal on the river side. The Collector carried on correspondence with the Port Commissioners for a site in front of the depot of the Vacuum Oil Company or near about, but in view of their poor response the Divisional Commissioner asked the District Officer in his letter No. 370M., dated 22nd March, 1926, to request the Chairman, Howrah Municipality, to start land acquisition proceedings for a suitable site "as the Port Commissioners are not willing to come to an amicable arrangement."

Accordingly the municipal Chairman approved of a site in front of the godown of the Vacuum Oil Company and moved the Collector in 1925 for acquiring it under the Land Acquisition Act. Among others the Port Commissioners and the Vacuum Oil Company preferred objections which were allowed. Again in 1928 a site was selected in the north of the Ramkrishnapur Chara-Ghat, but that too was disallowed by the Land Acquisition Collector at the instance of vested interest.

In the meantime the public carried an insistent platform and newspaper agitation for a riverside burning *ghat*. Eventually they sent a deputation to the then Collector Mr. Waddell on 26th May, 1930, and forwarded a largely signed petition. He personally visited the site and in his letter No. 2396R.G., dated 10th June, 1929, recommended that the site formally proposed was nevertheless in his opinion "a practicable alternative."

Emboldened by this attitude the Collector was again moved in 1930 and objections were filed by vested interests as usual. On this occasion the whole case for the public was elaborately placed before the Collector and the officiating Collector Rai S. C. Bose Bahadur in his letter No. 4247R.G., dated the 28th February, 1930, recommended for the acquisition of the site. The whole case was sent to the Secretary, to the Local Self-Government Department by Mr. S. W. Goode with his letter No. 1374L.A., dated 23rd December, 1930. To veto the recommendations of Rai Bahadur S. C. Bose, the Commissioner thought fit to send back the case to the then Collector Mr. A. McD. Clark to make an independent inquiry as in the Commissioner's opinion there was a long-standing controversy about the location of the *ghat* and very strong objections had been taken to the proposal. The Commissioner seems to have acted arbitrarily and ought not to have asked for an independent inquiry which was made not only by Mr. Waddell but also by the Acting Collector Rai Bahadur S. C. Bose and the Deputy Collector Mr. Banamali Bagchi. The crux of the whole thing is that even the imaginary difficulties of the persons having vested interests must be considered and things must be done in a manner so as not to displease them in any way and the interest of the people of the land must be sacrificed. The Commissioner admitted that distance between the river and the existing burning *ghat* interferes very seriously with convenient use and attempts have been made for some time past to find a suitable site for a new *ghat*. His letter runs: "Undoubtedly the *ghat* is a public need, but the objections to the proposed site seem to me to be strong and substantial and I think they should not be blindly overruled." Mr. Clark has made a careful review of the whole question and inspected all the sites. His letter states the objection to the present proposal even more forcibly than they have been set out before. Unfortunately the Collector finds it impossible to make any suitable alternative proposal. It is a matter of deep regret and disgust that the Divisional Commissioner failed to consider the views of Mr. Waddell and his successor Rai Bahadur S. C. Bose and sent back the case for independent inquiry and review of the objections already overridden. Mr. Waddell was Collector of Howrah for years together and he knew the needs of the people as well as of the vested interest better than the Divisional Commissioner who held the office for barely a couple of months. This is how the peoples'

wants are considered by the Government. Over this matter hundreds of mass meetings have been held, deputation sent to the District Officer, municipal commissioners have been teased and publicly censured for their failure to materialise the scheme without any fault of their own, petitions have been sent to the District Magistrate, Secretary to the department concerned and on two occasions to His Excellency the Governor of Bengal. But the Government thought fit to ride roughshod over Hindu public feelings and thought fit not to displease the powerful European mercantile communities by allowing a site in Ramkrishnapur Grand Foreshore Road. The Banstala Burning Ghat is an ancient *ghat* and the longfelt desideratum ought to have been removed decades ago by providing a site on the river.

I should like to conclude my speech by meeting the objections on sanitary grounds if the riverside site is approved by the Government. The late popular sanitary Commissioner of Bengal, Dr. C. A. Bentley, in his letter No. 9921-S., dated 2nd June, 1920, to the District Magistrate of Hooghly about the location of a burning *ghat* at Uttarpara stated that "It appears to me to be more a question to be settled on administrative grounds than question of sanitation. Burning *ghats* are not likely to give rise to any serious danger to health provided they are properly attended to and dead bodies are fully consumed. They may give rise to temporary inconvenience and local nuisance to persons living in the immediate vicinity, especially to those living in the line of prevailing wind. On general grounds it would, in my opinion, be wise to select a site at some distance from the intake of a water-supply. If the burning *ghat* is enclosed by a high wall and if the work of cremation is properly supervised, I doubt if there could be any reasonable cause of complaint or danger to health." An expert of the eminence of Dr. C. A. Bentley cannot be lightly thrown away and the objections hitherto preferred have all proceeded from selfish motives and are unreal and unsound.

I hope I have fully discussed the subject and I think the honourable gentlemen feel with me and my constituency about the needs of the burning *ghat* on the river side and disapprove of the attitude of the Government in spite of recommendations of the Collectors of Howrah in 1925, and 1930 including Mr. S. C. Mookerjee and Mr. Waddell. This is the only way in which we as an enslaved people can enter our protest and the procedure, as laid down in law, is a mockery inasmuch as the department are more interested in the European mercantile community than in looking to the needs of the people who are bled white to pay public servants. I, therefore, commend my motion to the acceptance of the House.

The Hon'ble Sir B. B. GHOSE: Sir, when the local authorities want to purchase land for a public purpose, they select the land and then

under the new amendment to the Land Acquisition Act objections have to be considered and these objections are decided by the Government in the Local Self-Government Department. What happened in this particular case was that a piece of land was required for shifting the existing burning *ghat* at Banstala to a suitable site on the bank of the river Hooghly. It appears that, at the instance of the municipal authorities, several attempts have been made for some time past to acquire a suitable site on the bank of the river for a new *ghat*. But every such effort has been unfortunately frustrated by the fact that the objections advanced by the local public to the various sites were so serious that they had to be upheld.

In March, 1928, a site was proposed to be acquired for this purpose and a notification under section 4 of the Land Acquisition Act was published. But the proposal had to be abandoned in view of very serious objections taken to it.

A second alternative site was proposed to be acquired in February, 1929, but it was considered even more unsuitable than the site proposed at first, and the proposal had to be dropped.

A third site was again selected for the purpose by the municipal commissioners and the proposal for its acquisition was submitted to Government. A notification under section 4 of the Land Acquisition Act in respect of this third site was published in January, 1930. A series of strong objections poured in against the acquisition of this third site also. The objections were fully considered and were thought to be so serious that Government saw no other alternative than to uphold them. Although Government fully agree that there is a public need for a new burning *ghat* on a suitable site on the bank of the river, because the use of the existing Banstala burning *ghat* is inconvenient, they cannot go to the length of saying that they must, no matter how serious may be the objections raised, find a new location on the river bank at the place selected. The municipal authorities were accordingly requested in March, 1931, to make a further attempt to explore all possible alternatives with a view to solving the problem. It is not known to Government what further progress has been made in the matter by the municipal authorities. The first thing is for the municipal authorities themselves to find a suitable ground to which no serious objection can be taken, and then the acquisition can be made. On these grounds I oppose the motion.

4-45 p.m.

Dr. AMULYA RATAN GHOSE: May I ask a question? Can objections be filed by the public or by certain parties interested for their own purpose?

The Hon'ble Sir B. B. GHOSE: It must be by those who are inconvenienced.

The motion of Dr. Amulya Ratan Ghose was then put and lost.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 98,900 under the head "5A—Charges of Administration—Certificate Establishment—Pay of Establishment" be reduced by Re. 1 (to discuss the necessity of issuing post-cards to the defaulters before initiating certificate cases).

He spoke in Bengali, the English translation of which is as follows:—

"With reference to the proposed cut of one rupee out of Rs. 98,900 allotted for the Certificate Establishment, I should like to say that the defaulter, in whose name a certificate for the realization of amounts payable to the Government is issued, should be informed of it at least fifteen days before the certificate is issued. For, in many cases, it happens that the defaulter is able to pay but fails to do so at the proper time for want of information or from oversight. From my knowledge of the district of Chittagong I can assert that there is in this district a large number of small *jots* and mortgaged estates and the cess payable for these estates and the rent of the *jots* generally are not more than a few annas or Re. 1 at most. Under these circumstances, when a certificate is issued for realization of dues, a fee of twelve annas is charged for every village. In case the defaulters belong to four different villages, for a principal amounting to two annas they have got to pay as much as Rs. 3 in such fees. Therefore, the defaulters will be saved from incurring a heavy loss if they receive an intimation within a reasonable time before the issue of the certificate. They can then remit the sums actually payable and which amount to two or four annas only together with nine pies towards the cost of a post-card. This arrangement will increase the sale of post-cards.

I hope the Government will accept my proposal for sending intimation before a certificate is issued."

Maulvi TAMIZUDDIN KHAN: This motion raises a very useful and important question. I do not know what the practice is, but if there is no practice of issuing post-cards, I think Government can have no objection to the suggestion made in this motion. In these hard days, every one knows that the certificate procedure is not appreciated by the people in general, and a good deal of oppression is perpetrated on account of the issue of certificates. This may very easily be avoided in many cases if post-cards be issued. Therefore, I think Government

cannot have any reasonable objection to this suggestion. If Government will accept the suggestion, I think my friend will see his way to withdraw his motion.

The Hon'ble Sir B. B. GHOSE: Government has certainly no objection. As a matter of fact there is a rule in existence, and the rule is imperative. These rules are issued by the Board, and in all cases in order to avoid hardship District Officers are directed to notify defaulters before certificates are issued by putting up a list of defaulters in their offices, and by sending warnings to all defaulters by printed post-cards, in cases in which there is no reason to believe that the defaulter has had intimation of his liability. A post-card warning is always issued to the debtor previous to the issue of a certificate under the Act in the case of demands for the first time. Also post-card notices have to be issued to defaulters in all cases of demands which vary from year to year. The rules are in existence. (A voice: But the rules are not followed.) Inquiries will always be made if individual cases are brought to notice. It is not sufficient to say that the rules are not observed——

Babu SATYENDRA NATH ROY: Will the Hon'ble Member issue a circular to all District Officers about the observance of these rules?

The Hon'ble Sir B. B. GHOSE: I do not think any circular is necessary; the rule is in the Manual. If there is a breach of these rules, of course, departmental action will be taken. If individual cases are brought to the notice of responsible persons, Member of the Government, or the authority concerned—the Board of Revenue—action will no doubt be taken, because this is a long-standing rule, and is meant for the purpose of avoiding hardship to debtors. I, therefore, oppose the motion.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the Council, withdrawn.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 1,01,000 under the head "5A—Charges of Administration—Certificate Establishment" be refused.

I understand that the demand under this head is due to the establishment of the Court of Wards to give protection to disqualified proprietors. Hitherto protection was given to the proprietors when circumstances were such that they deserved protection. But nowadays protection is given to the proprietors without any rhyme or reason. Protection is given to proprietors who have squandered away their profits by living in the metropolis, leaving their subjects quite alone, and when they have run short of their resources. Surely they approach

Government only when they find themselves unable to pay Government revenue, and Government are to swallow their estates but not before that. Government can take over charge of the estates of the proprietors who are minors, or of unsound mind, or when they cannot agree with their co-sharers in the matter of the appointment of a common manager, it is then of course the duty of Government to give shelter to these proprietors. Here the nature of the thing demands that the Government should give them support and help, but when the *zamindars* on account of their improvident habits have come to such a pass that they do not deserve help, and they approach Government, and Government afford them protection; I say that Government is not justified in giving protection to these proprietors because, the pass to which they have come on account of their improvident habits, is no ground for giving them any protection. However, still Government give them protection by bringing their estates under the Court of Wards. Under the Court of Wards the *zamindars* may get some relief, but unfortunately the subjects do not get any relief whatsoever. The *zamindars*, when their estates are under their own management, realise many things like *abwabs*, which are forbidden by law, and, therefore, the subjects have to suffer a great deal at the hands of the landlords. But they suffer more at the hands of the Court of Wards. Though practically the cost of the *zamindars'* establishment is borne by the tenants, yet they get some benefit from the *zamindars*, because they are able to keep their rents in arreas for at least three years, whereas under the Court of Wards the Managers of the Courts of Wards have their eyes fixed upon one point only, *viz.*, strict realisation of rents. They are unmindful of the suffering of the people; they do not consider that the tenants are not in a position to pay their rents in these critical moments. They do not take anything into consideration except the strict realisation of their rents; they send out *nazirs* to the *mufassal* who heap untold miseries upon the poor villagers. The unscrupulous *nazirs*, when once they get to the *mufassal* areas, find themselves the masters of the situation, consider them as the lords of all they survey and hesitate not even to attach things unattachable by law not sparing even the cooking utensils and bedding material which is sometimes nothing more than a mean *kantha* কাঁথা in tatters. The attached things are sometimes sold by them at nominal prices, the purchasers in most cases being, of course, the *nazirs' benamdars*.

5 p.m.

Well, this is *zoolum*, sheer *zoolum*, Kabuli *zoolum*—if I may be permitted to say so—upon the poor villagers. The Government knows very well in their heart of hearts that owing to economic distress the people are not in a position to pay rents. It is not due to any other

motive that they do not pay their rents. It is not their nature not to pay rents; but whenever they find themselves in a position to do so, they pay their rents first of all. It is a fact that of all other charges they pay the *zamindar's* rents first if they are really able to do so. That is the nature of the Bengalee tenants. When they do not pay their rents, it must naturally be assumed that they are incapable of paying their rents. It is also a fact that the Government never cares to study the causes which compel these people not to pay their rents. Why is it that the people are in default? Why is it that the people are not paying rents regularly? If Government study these questions, the opprobrium will fall upon the Government. It is the duty of the Government to eradicate such causes. You have brought the people to such a pass that they cannot think of paying their rents. Your administration has brought the people to the verge of starvation. While they starve day after day, they are served with notices for arrears of rents and nothing else. Your Government has brought on the people, once in a prosperous condition in the past, such miseries and troubles that they do not know how to keep their body and soul together. You are unmindful of their grievances. You do not entrust responsible men with the realisation of rents. You send out *nazirs* and what sort of *zoolum* is practised by these men, you do not know. Speaking of my own district, I have many times brought to the notice of the Hon'ble Member-in-charge the cases of such *zoolum*. I put many questions on this subject in the Council, but the questions were not answered or answered in a way which would not help us in making an attempt to solve the problem.

Sir, the system adopted in the administration of the Court of Wards' estates in the matter of realisation of rents is different in different districts. The law gives the Subdivisional Officers powers to deal with certificate cases, but I do not know for what reasons such powers have been taken away from the Subdivisional Officers of Rangpur. The other day the Hon'ble Sir B. B. Ghose said in answer to a question of mine that Subdivisional Officers of Rangpur were not willing to try such cases, as if it depends entirely upon the choice of the Subdivisional Officers either to do a certain thing or not; and he could not even give the reason why it was so. He said that presuambly they were overworked and he did not care to ascertain whether this was actually so. Well, Sir, you will be astonished to hear that from Rowmari the people have got to go to Rangpur. It has a distance of 60 miles and they have to cross a big river, the Brahmaputra. They have to cross a big river and go all the way to Rangpur and take a lot of trouble for the purpose of a certificate. Is it at all possible for poor people to make all the expenses and take all the trouble to go to Rangpur to lodge their complaints and make *tadbirs* in the Sadar? Why do not you decentralise the offices of the Certificate Officers? Why do not you ask the Subdivisional Officers to try such cases so that the people may come from

lesser distances and have less trouble and expenses? But you have ordered one man to be tied down in the district headquarters to try all the cases. Of course you have made this favour that the Certificate Officer should go over to other places and secure materials according to his convenience and hear certain grievances. But this is confined to certain areas only and has not been extended throughout the district. So the enormous cost and enormous troubles of the poor people of Rangpur at least have not been removed because of the utter indifference on the part of the Government.

One more thing which I have to place before you is this that even the best landlords cannot pay their revenue now because they have nothing in their pockets. It is for the same reason that the tenants are not able to pay their rents and the Government knows very well that distress is prevailing throughout the country and specially in the Rangpur district where even Government has been spending money and has opened relief work for the poor people. Rangpur has been laid low by earthquakes, famine, floods and what not. Is it proper for Government when people have been laid low on account of adverse circumstances to introduce this system of speeding up realisation of rents? Could they not postpone this till better times come? Government does not care whether the people live or die, but their realisation must continue, must be made at the sacrifice of the poor tenants. Of course, Government has apparently opened relief works and has apparently tried utmost to mitigate the sufferings of the poor people in sundry places by sundry means, but is it not desirable that in such places at least they should not try to realise rents by this summary procedure? Should not they rather wait till better times come, and should they not give some sort of relief by decentralising the certificate offices and permitting the Subdivisional Officers to try the cases which they are under the law entitled to do? These are the grievances, Sir, which I wanted to put before you for consideration and with these few words I commend my motion for the acceptance of the House.

Dr. NARESH CHANDRA SEN GUPTA: I propose to place before this House some facts relating to the realisation of rents and revenue under the present system. It perhaps might bring back to hon'ble members the memories of those days—the years which preceded the famous famine known as "ছিয়াত্তরের মন্বন্তর". The report of the land revenue administration in the Presidency of Bengal for 1930-31, the opening paragraph, refers to the most unfortunate economic depression of the province in the year 1930-31. But when we come to the realisation and collection of land revenue, we find that 92·45 *per cent.* of the total demand has been realised as against the prescribed standard of 99 *per cent.* It is noticeable in this connection that the report also

refers to the default of the wards' estates in general, specially in Rangpur, owing to bad collection, heavy debts and absence of any reserve fund. That is to say, although the wards' estates are not in a position to pay their land revenue, the Government has been going on recovering land revenue from the *zamindars*. And this in spite of the fact which is the subject matter of this motion that the Court of Wards has the benefit of the certificate procedure. Not only the Court of Wards but also a number of privileged landlords who are realising rents by the certificate procedure. I have no complaint against the certificate procedure as such. If rents have to be paid, the sooner they are paid the better; and the shorter and simpler the process by which the rent is realised the better. But I object to the coercing method of the certificate procedure at a moment when the bulk of the tenants are not in a position to pay anything. The extreme economic distress all over the province is so well known that it must seem to be extremely cruel and extremely unwise to put very great pressure upon the tenants in realising the rents. This is of all years a year in which the benevolent landlord would like to remit rents—a year in which a benevolent Government would like to remit the land revenue in order that the remission of land revenue might go to remit the rents of the tenants. But what do we find? The Government goes on realising 92·45 *per cent.* in 1930-31 and I do not know what they have done in 1931-32. Then they congratulate themselves on this realisation. But what is the position of the people? We can get an index of that in another passage. Government could collect only 56·10 *per cent.* of the revenue payable from its own estates—56·10 *per cent.* only in spite of the certificate procedure. Well, that shows that the people are not able to pay but still the Government goes on, the Court of Wards goes on and the privileged landlords go on to realise by means of the certificate procedure. I should have thought that in a situation in which we find ourselves at the present moment, the Government would have declared a holiday to realisation. Almost every *zamindar* who is not a privileged *zamindar* has had to declare a holiday to realisation of rents from the tenants. But the privileged landlords and the Court of Wards are going on merrily realising, although the realisation amounted to little over 50 *per cent.*

5-30 p.m.

It is noticeable that in some cases apparently the certificate creditors, that is, the landlords, have realised the difficulties of the tenants and they have been found willing to give concessions by way of receiving payments in instalments. This has been referred to by Government in the report for 1930-31, not in the proper connection but in connection with the delay in the certificate procedure In some districts many cases are shown as pending and in the economic conditions of the year

payment by instalments was accepted from certificate debtors and sales postponed. That shows that there was great distress, so much so that even the certificate procedure could not be trusted to realise the whole amount in the ordinary way; otherwise, there would not have been this willingness for this temporary remission. I should have thought that Government would have encouraged this process, but what do we see? They say, in the sentence which immediately follows, that Collectors have been asked to pay special attention to the speedy disposal of long pending cases; not special attention to work the certificate law with tenderness or even with the bare justice to the tenants, but particular attention to the speedy disposal of long pending cases! I submit that the whole thing shows an utter callousness on the part of Government to the condition of the people, a callousness which, as I have said, almost equals the callousness shown in the dispatches forwarded by the East India Company to the Court of Directors immediately before those dark days! "The country was being devastated but the revenue collections were good." Well, Sir, this is an attitude of mind which, if persisted in, and if not radically modified, will land the Government in a disaster with which the *Manvantar* of 1276 will compare favourably.

Maulvi ABDUL HAMID SHAH spoke in Bengali, the English translation of which is as follows:—

"Mr. President, in supporting Kazi Emdadul Hoque Sahib's amendment, I have got this much to say, that it will hardly be of any avail to protest against the cruel oppression to which in these days of serious economic distress the poor tenants are being subjected in connection with the realisation of rents by means of certificates. As homestead after homestead of the tenants is being sold by auction, due to non-payment of rent, so, on the other hand, as a result of non-payment of Government revenue, many *zamindaries* and *talukdaries* are being brought under the hammer and thousands of them have already been auctioned off. Under the circumstances, if the proprietors and the tenants come to a mutual agreement regarding collection and payment of rents, both will be relieved from the imminent danger of an auction sale of their properties. If the proprietor of each *mahal* collects from the tenants thereof by mutual agreement, a sum of money equivalent to one and a half of the amount due to Government as revenue, and postpones collection of the remaining portion of their dues till better times arrive, every difficulty will be removed. Instead, however, of making any such arrangement, the Hon'ble Mr. Prentice has taken it that the no-rent movement exists in certain districts and has directed the application of the Criminal Procedure Code and the Emergency Powers Ordinance as remedial measures. In the interest of both the proprietors and the tenants, I am bound to declare, that, even now, the

tenants in Bengal consider it a great sin to enjoy the produce of the land without paying its rent. If the proprietors and the tenants mutually agree to collect and pay rents on the lines suggested by me, and if Government becomes a little favourably disposed, it will no longer be necessary to set apart such a large sum of money for meeting the expenses, necessary for issuing certificates. With these remarks, I support the Kazi's amendment."

The Hon'ble Sir B. B. CHOSE: The mover began by saying that the Court of Wards should not take charge of estates and of the collection of rents except under certain special circumstances. Probably the Member of the Board of Revenue would be extremely glad if he were asked to act on this advice of the mover, because he is now surrounded by a large number of *zamindars* who all ask him to take their estates under the Court of Wards, and, in fact, he has refused to take charge of a number of such estates, and the result of this is that the Member in charge of the Revenue Department is being also besieged by *zamindars* for this purpose. That is the vital point.

With regard to the rigour or stringency with which certificates are enforced, the Board of Revenue has issued general instructions that certificates should not be issued with any rigour and that discretion should be used, and I believe that is being done; this will appear from the fact which has been stated by Dr. N. C. Sen Gupta, that in the permanently settled estates the realisation of land revenue was 92·52 *per cent.* (that is quite true) in 1390-31, because the landlords under the permanent settlement are bound to pay the revenue. But with regard to the temporarily settled estates, the realisation was only 80 *per cent.* With regard to Government estates,—in which Government realise rent directly,—the realisation was only 60 *per cent.* Therefore it does not show that the certificate procedure was exercised with any great rigour in connection with Government estates.

From the statement that appears in the Administration Report you will find that wards' estates in Rangpur could not pay the revenue. Why not? Because rents from the tenants could not be realised. If the certificate procedure had been enforced with that rigour and with that *zoolum* referred to by one speaker, certainly the revenue would have been first deducted from the realisation and the very fact that the Court of Wards' estates in Rangpur did not pay their revenue shows that rent was not realised to the extent of the revenue payable.

Maulvi SYED MAJID BAKSH: Bad logic.

The Hon'ble Sir B. B. CHOSE: I bow down to the gentleman; I have never been as good a logician as he. But does he suggest that

some of the money that was realised by the certificate procedure went into the hands of Government or was intercepted by some other person?

The general charge that certificates are issued with very great rigour is very difficult to meet and it can only be met by a general statement that instructions have been issued that certificates should be issued with discretion.

With regard to one other point that the Subdivisional Officers in Rangpur do not choose to decide these cases but the Collector at the headquarters does so, it was pointed out some time ago that the Subdivisional Officers said that they must have other help if they were to be put in charge of certificate cases. They declared themselves incapable of deciding those cases themselves.

In these circumstances, the charge that is made about the rigour of realising rent by means of the certificate procedure can hardly be said to have been made out.

With these remarks I submit that the motion should not be passed.

The motion of Kazi Emdadul Hoque was then put and lost.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 1,01,000 under the head "5A—Land Revenue—Charges of Administration—Certificate Establishment" be reduced by Re. 1 (to draw attention to the unnecessary realisation of money in certificate cases for "*Mal-Pahara*" without attestment).

He spoke in Bengali, the English translation of which is as follows:—

"In proposing a cut of one rupee in Rs. 1,01,000 demanded for the Certificate establishment, I want to say that Government charge a daily fee on the certificate issued for the purpose of recovering amounts of cess and rents of the *jots* and other sums due to them and another daily fee of eight annas for the warrant of attachment of movable properties sent therewith. These fees are charged even when the actual amount due to Government does not exceed Re. 1. The fee charged on the distress warrant is entered under the heading 'For guarding the attached property.' The fee for guarding the attached property increases in direct proportion to the amount of dues. In the event of the amounts claimed being realised amicably, the fee charged for guarding the attached goods is not refunded. On the other hand, if a decree-holder move a court for issuing a distress warrant with a view to attach the property of the debtor, he has to deposit from Rs. 3 to Rs. 7-8 towards the cost of guarding the attached property. But when the debtor pays up the sum due from him amicably and without the warrant being executed, the amount deposited by the decree-holder for guarding the attached property is refunded to him. The Government has provided for no such refund in the case of certificates issued by them. Three or

four years back there was no such practice of charging a fee for guarding the attached property together with the sums demanded in the certificate in cases where amounts of claim were recovered without executing the distress warrant.

I, therefore, propose that in all future transactions the amount charged for guarding the attached property should be refunded and only the actual amount of claim realised in cases where the claims have been satisfied amicably and without the execution of the distress warrant."

The Hon'ble Sir B. B. GHOSE: The short answer is simply this that under section 38 of the Public Demands Recovery Act (III of 1913), certain statutory rules are embodied in Schedule II to the Act. These had been finally published in Part I, pages 2351-74, of the *Calcutta Gazette* of 23rd December, 1914. According to rule 38 of those rules (pages 33-34, Certificate Manual), whenever process of attachment of movable property by actual seizure is issued, fees at the scale given in the rule have to be furnished with a certificate stating the period for which the fees in accordance with the rules have been paid. The Accountant-General, Bengal, drew the attention of Government to the fact that in the course of audit of the accounts of Pabna Collectorate, it had been found that the local officers were very lax in the realisation of the fees, but as the provision of the rule was mandatory, they were bound to realise the fees. The Board of Revenue issued instructions in its letter No. 832 Mis - T., dated 2nd October, 1930, about the realisation of the fees in a way that would not cause undue hardship to the certificate-debtors. The purport of the instructions is that (*1*) the rules regarding the custody fee in rule 38 were based on the civil court procedure as ordered by the High Court and are not entirely suitable to certificate cases; (*2*) when the attached property is kept in the custody of some one in the village, no custody fee is necessary and only the fee for going and coming under rule 38 (*2*) can be charged; (*3*) as it is not possible to prescribe a uniform rate for the whole province, discretion has been allowed to the Collector to fix a rate or rates for his district. Besides, as it is not possible to anticipate the number of days that might be required in each case, an all-round fee for three days, irrespective of the actual number of days required in each case may be charged. The practice may be varied in particular cases, if necessary. Therefore every attempt is made to reduce the hardship to the minimum extent in consonance with the statutory rules.

The motion of Haji Badi Ahmed Chowdhury was then put and lost.

Mr. PRESIDENT: I think we can have one discussion on motions Nos. 7, 8, 9, 12, 13, 14, 15 and 89 as they seem to be more or less identical.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that the demand of Rs. 1,38,800 under the head "5A—Charges of Administration —Road cess valuation and revaluation establishment" be reduced by Rs. 1,000 (to draw attention to the work of revaluation being done in a drastic manner causing enormous enhancement in road cesses payable by the *raiyats*).

Sir, I must say at once that I am not a lawyer nor have I expert knowledge of these complicated matters. Yet, Sir, I lay claim that I have got strong common sense regarding laws relating to land, particularly regarding the question of valuation or revaluation. I do not like to go into details in these matters, because just now on going through the proceedings of the debate in this Council during the last three years beginning from 1929, I find that these matters have already been very ably discussed by members of this House having expert knowledge. Only last year this matter was very ably moved by Khan Bahadur Azizul Haque and Maulvi Tamizuddin Khan. My object in moving this motion now is to ask the Hon'ble Member seriously to rise up and say what action Government has taken regarding the modification or the amendment of the Cess Act which was described to be a very complicated and intricate matter, and which to a lay man like me is inexplicable, unimaginable and unthinkable. Sir, on going through the last year's Council proceedings, I find that the Hon'ble Member in charge of the Department gave an assurance that certain committees would be appointed, this thing will be done and that thing will be done and so on. I ask now—what action has been taken and if not, why no action has been taken? I may give an example of my personal experience in my district—the district of Khulna. My colleague Mr. Suklal Nag who is a member of the district board of Khulna is not here; otherwise, he would have supported me. Only a year ago the road cess of our district—the district of Khulna—was less than three lakhs of rupees and after one year we now find that it has gone over Rs. 6,00,000. You will be surprised to learn that the actual revenue paid by the Khulna district is more or less eight lakhs of rupees. The road cess of this district is rising by leaps and bounds and perhaps in the course of a year or two, or, say, half a dozen years, it will go still higher up and exceed the actual revenue of the district. I may cite a particular case in my *thana*. A man who had to pay Rs. 3 a year has now after revaluation to pay Rs. 27 and perhaps more. My suggestion is that these things should be discussed here by experts and lawyers having expert knowledge in the matter. My point to-day is this and I shall finish by making a few remarks regarding our duty in this Council. For the last two years every section of this House has been complaining against this and to-day I would request the members —particularly the elected members of this House—both representatives of *zamindars* and representatives of tenants—of the proletariates and

the bourgeois—to make a common cause and put an end to this state of things and teach a lesson to the bureaucracy by passing a vote of censure on Government. It is up to the members of this House to decide it now or never. It is beyond imagination how a sane man can be a willing party to this method of arbitrary valuation and revaluation by the bureaucracy and to this sort of extortion and exploitation of the poor people, particularly this year, when every one having any real knowledge of the economic conditions of the people, knows how people are dying for want of food and when many people are committing suicide on account of their dire poverty. Probably the Hon'ble Member in charge of the Department has read the other day in the columns of the newspapers how a mother killed her baby as a result of this economic distress. In this hard time is it desirable, is it sensible, is it human for the Government to realise such exorbitant cess from the poor tenants? Not only poor tenants—I would also say both tenants and *zamindars*, are equally distressed by this valuation and revaluation. My motive for bringing this motion is to request all groups in this Council to make a common cause and ask Government what they are going to do in the near future. I hope a discussion by lawyers and experts of this House will reveal the fact that Government up till now has done nothing, nor are they willing to do anything. By our speeches in this House year after year we want to bring home to the Government the fact that oppression is going on the *zamindars* as well as on the tenants.

5-45 p.m.

Sir, I do not want to go into the details. I do not like to say what is the trouble of the tenure-holders, what is the trouble of *raiyats*, what is the trouble of *adhiars*, and what is the trouble of the *zamindars*. I would leave all these matters to my friend Dr. Naresh Chandra Sen Gupta who will deal with them very minutely. With these words I would request the elected members of this House to make a common cause and pass a censure on Government in this matter.

Maulvi TAMIZUDDIN KHAN: Sir, I intend to raise two general questions on this matter, and also to raise one particular question. The first general question that I would like to raise is this——

Mr. PRESIDENT: Do you like to move all your motions on the same subject together and make one speech? It will save the time of the House.

Maulvi TAMIZUDDIN KHAN: Yes, Sir.

Maulvi SYED MAJID BAKSH: Then, Sir, there will be one discussion on several motions.

Mr. PRESIDENT: It does not matter, as each motion will be put separately, and the Council will have no difficulty in giving its vote on any particular motion.

Maulvi SYED MAJID BAKSH: Sir, I wanted to know whether there could be a plurality of motions.

Mr. PRESIDENT: What do you mean by "plurality of motions"?

Maulvi SYED MAJID BAKSH: The motions are already there; motions Nos. 7-9 have already been moved and if you allow Maulvi Tamizuddin Khan to move Nos. 11-13, then there will be a plurality of motions.

Mr. PRESIDENT: There will not be any difficulty. Let me explain. When No. 7 will be put, members will have no difficulty in giving their vote on that particular motion, because it stands on its own grounds. The same may be said of the rest.

Maulvi SYED MAJID BAKSH: Sir, my difficulty is in regard to the interpretation of the rules. Here is a motion moved, and your ruling is that this motion is a little different from the others. If these two motions are different, unless one is finally finished, how can you go on with another motion?

Mr. PRESIDENT: The motions are not different in the sense that they are all token cuts and deal with the same subject. Each mover is merely trying to justify his particular motion on certain grounds of his own. It does not matter if there are 50 such motions, provided they are put separately.

Dr. NARSSH CHANDRA SEN GUPTA: The question is that all the motions will be moved together and there would be one discussion on them.

Mr. PRESIDENT: Yes, that is so.

The following motion was called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 1,38,800 under the head '5A—Charges of Administration—Road cess, valuation and revaluation establishment' be reduced by Rs. 100 (to draw attention to the irregularities that are being committed in carrying on revaluation proceedings in the district of Faridpur)."

Maulvi TAMIZUDDIN KHAN: I beg to move—

"That the demand of Rs. 1,38,800 under the head '5A—Charges of Administration—Road cess, valuation and revaluation establishment' be reduced by Rs. 100 (to draw attention to the undesirability of carrying on revaluation proceedings in the present distressing economic situation in the country)."

"That the demand of Rs. 1,38,800 under the head '5A—Charges of Administration—Road cess, valuation and revaluation establishment' be reduced by Rs. 100 (to draw attention to the hardship caused to the District Board of Faridpur on account of these proceedings)."

"That the demand of Rs. 1,38,800 under the head '5A—Charges of Admnistration—Road cess, valuation and revaluation establishment' be reduced by Rs. 100 (to draw attention to certain unsatisfactory provisions of the Cess Act and the failure of the Government to take steps for the revision of the Act in spite of repeated assurances)."

Sir, the first of these motions raises the question of the undesirability of carrying on revaluation proceedings in the present distressing economic situation in the country. So far as that is concerned, my predecessor, Maulvi Syed Jalaluddin Hashemy, has said something. It appears, Sir, that Government has a kind of dogged obstinacy in pursuing a course which it has once undertaken without considering carefully what the consequences of pursuing that course will be. Sir, we heard only a couple of hours ago from one Hon'ble Member of the Government that the economic situation in the country is very acute, and that there is no knowing when the situation will improve. He further said that neither this Government nor any Government in the world can guess when the economic situation will improve. That was the statement made by one member and I think that is the opinion of the Government as a whole. If that be so, my question here is: in view of that statement, does the Government like that the revaluation proceedings which are now being carried on in different districts in the province should go on? What do these proceedings mean? The first implication is that the cess will increase to a large extent. Unless there is a prospect of increase, Government never thinks of initiating revaluation proceedings. That is the idea behind all these revaluation proceedings. Now, Sir, if there is no knowing when the situation will improve, does the Government propose to tax the people further

before there is any indication of the improvement of the situation? Sir, it is not only a question of the ultimate augmentation of the cess, but it is also a question of the harassment to which the people are put when these proceedings go on in any particular district. Every one knows that the control of these proceedings is not at all satisfactory. A Sub-Deputy Collector is generally placed in charge of the revaluation proceedings, and the officers who are actually employed for carrying on these proceedings indulge in various kinds of malpractices which put the people to a good deal of harassment. Now, Sir, is it the time that the people should be subjected to this harassment? Is it the time that they should be made to pay an augmented cess as the result of these revaluation proceedings? These are the things which should be kept in mind by the Hon'ble Member-in-charge before he gives an answer that the Government propose to continue the revaluation proceedings even in the present distressing circumstances.

Sir, the particular question which I want to bring forward is that the revaluation proceedings in the district of Faridpur began about a couple of years ago. Just as the proceedings began, the situation in the country became very bad and naturally there was opposition to the continuance of these proceedings. In addition to the hardship caused to the people of the district, the Faridpur District Board was placed in a very awkward position. The Faridpur District Board is not a very rich board, and as a result of these proceedings, the income of the board was reduced to a large extent as Government could not make over the total amount realised on account of road cess to the district board since the cost of carrying on these proceedings was deducted from the total realisation. As a result of this, the Faridpur District Board in 1930-31 had to suspend all original works including works connected even with water-supply, discontinue special grants made to union board, and also grants on the head of education, that is, allowances to primary school teachers, had to be reduced by Rs. 15,000. Reduction in the poor allowance which the primary school teachers get from the district boards causes great hardship to them. The district board was compelled even to take such a drastic step as that. Sir, the situation remained the same during the current year and it will continue the same in the coming year also. The board went up to Government with the prayer that the money which was spent on revaluation proceedings be not realised from them under the present circumstances, but that the whole amount might be made over to them, and when the situation improved the whole amount might be recovered from the board. That reasonable prayer was rejected, and the Faridpur District Board was placed in an awkward situation, causing a good deal of hardship to the primary school teachers and also to the people in general, particularly owing to the suspension of the water-supply programme, because the necessity of water-supply is very acute in that district.

Last of all, Sir, I would raise the question of the revision of the Cess Act. This matter has been raised on the floor of the House from year to year for several years past, and every year we have got a promise from the Hon'ble Member-in-charge that the Government was earnest in the matter and that something would be done shortly. Even year before last the Hon'ble Member-in-charge gave us a promise that a special officer would be appointed to inquire into the whole matter and then after the special officer had submitted his report, that report would be considered by a committee to be appointed for the purpose and that committee would suggest definite amendments that may be thought necessary. Last year the Hon'ble Member said that a special officer had been appointed and he had submitted a provisional report, and he gave reasons that it was not yet time for the appointment of a committee because several preliminary investigations had yet to be made. We do not know, Sir, what happened after that. Every one knows that the Cess Act on several matters has proved to be very anomalous. Every one in this House who has had to deal with it knows that on account of certain anomalous provisions of the Act, a fictitious class of tenure-holders has been created. Cultivating *raiyats* who are nothing more than cultivators are under the Cess Act tenure-holders in certain cases, but they are cultivating *raiyats* pure and simple under the Bengal Tenancy Act. If a *raiyat* has a holding of ten *bighas* of land and if he chooses to sublet two *bighas*, then he is assessed not as a *raiyat* but as a tenure-holder, and as a tenure-holder, the incidence is much greater than it would have been had he been considered a *raiyat*, which he actually is. Government has recognised that this is anomalous and Government has given a promise that this matter would be investigated into and something would be done on the lines suggested in this House. I want to know, Sir, what has happened. Government told us last year that one important question was about the position of the *bargadars*, *i.e.*, whether a *bargadar* was to be regarded as a tenant or as a mere labourer and it was said that Government would come to a decision on that question.

6 p.m.

I do not know whether Government has come to any decision on this important question whether the *bargadar* is a tenant or a mere labourer. This is a very important question as it affects the rights of the *bargadar* to a very large extent, and, therefore, Government cannot by a summary procedure decide whether a particular class of persons should be considered as labourers or tenants. However, Government gave us a promise, and we would like to hear what Government have decided on that point.

The second question relates to the deletion of the foot-note of section 24 of the Cess Act. That is the section which has created that

fictitious class of tenure-holders. It was promised last year that the foot-note would be deleted; but we do not know whether this has been done or not——

The Hon'ble Sir B. B. CHOSE: It has been deleted.

Maulvi TAMIZUDDIN KHAN: Therefore the only other important question that remains to be answered is whether the special officer who has been appointed has given his final report, and whether his report is being considered, or has already been considered by Government, or by anybody whom the Government has appointed or whether Government proposes to appoint the committee which was promised in the near future. These are the questions which await an answer, and if I get a satisfactory reply, I shall consider whether I should withdraw any of the motions?

[At 6-5 p.m. the Council was adjourned for prayer and it reassembled at 6-15 p.m.]

Mr. PRESIDENT: I propose taking up motions 10-17 together; they may be discussed at this stage. But I should like to know whether such a course will in any way embarrass the Hon'ble Member.

The Hon'ble Sir B. B. CHOSE: I do not think that I should reply to all of them separately; it is really one or two main heads. The main question relates to the early revision of the Cess Act, and the other is the cess revaluation. These are the two main points.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 1,38,800 under the head "5A—Charges of administration—Road cess valuation and revaulation establishment" be reduced by Rs. 1,000 (to criticise the policy and the desirability of early revision of the Cess Act).

The object I have in view in moving this cut motion is not to criticise the imposition of cesses but to draw attention to the evils which it has brought in its trail. I should like to confine my remarks under two heads—the arbitrary way of assessment by revaluation officers, and the sad plight of the agency through which the cess is realised—which have necessitated the early revision of the Cess Act.

Owing to the wide powers vested in the revaluation officers, and the defects in the law, cesses are levied in a haphazard way without due regard to the actual requirements of the law. They cast their longing eyes in finding out ways and means to increase the assessment upon which depended their future prosperity in the service. Generally,

Sub-Deputy Collectors do the work of revaluation officers. They think that if they succeeded in swelling the valuation to a high figures, their promotion to the higher grade in the service would be assured. I happened to know one revaluation officer who strained every nerve to find out various pretexts to increase the valuation of certain classes of lands, and had no scruples to throw to the winds justice and equity. It would be an indelible stain on the service if I should go the length of citing some instances in which presents played an important part in differential treatments among co-sharer landlords in respect of undivided estates. The law having vested him with arbitrary powers, he used it to his best advantage. I should like to mention one concrete instance of his vagaries to show how the law helped him in doing things in his own way. In two undivided estates there were three sets of co-sharer landlords with three separate accounts in the collectorate. I should like to call them A, B and C. There was some delay in the submission of the returns required under the law. A submitted them soon after the expiration of the specified time. B and C did nothing of the sort but managed to satisfy the revaluation officer by certain mysterious ways. A, as I have already stated, was the proprietor of one-third of the estates in question. A again consisted of three joint co-sharers having no separate accounts in the collectorate to establish their separate liabilities. The revaluation officer imposed a fine of Rs. 125 on each of these co-sharers of A, aggregating Rs. 375, while B and C proprietors of two-thirds of the estate were allowed to go scot-free, although they were equally guilty of delay in the submission of the returns. For the one-third share of A, the valuation was more than doubled, while that of B and C was left intact although A had no special interest in the estate.

The collection of petty rent-free cesses under section 52 of the Act is another matter which required careful consideration. The collection has been entrusted to the landlords, and a liberal commission is paid for the same. So far so good. But the difficulty of collection is almost insurmountable. The first difficulty is to trace the lands,—the name, address and the holding number are given, but the landlord is not supplied with the boundaries of the land scattered as they are in different *mouzas*. The address given in the notice does not generally tally with the present address of the holders of land, and it becomes very difficult to trace them. There are holders of *brahmottar* lands, who live in different districts and generally come to collect rents once in four years if not otherwise arranged. It was no easy task to trace their whereabout for the service of summons and to have correct boundaries for the filing of suits. These practical difficulties stand in the way of collection of cesses from this class of holdings. I personally know of a large number of cases in which a farthing of the cesses could not be realised although the cesses for those holdings had to be paid in full for

years together. The present law cannot afford the necessary relief to the landlord in the realisation of these petty rent-free cesses for which he is held liable to Government.

I should now come to the agency through which the cesses are realised. The collection of cesses has been left to the *zamindars*. The handy certificate procedure enabled the Government to freely collect its dues from the landlords, but the realisation of the cesses by the latter is beset with considerable difficulties. Law's delays were proverbial in this country. If a tenant so desired, he could evade payment for an indefinite period through the instrumentality of the law courts. I can cite a concrete instance. I had a tenant by name Rakhal Tewari who was a pleader of Diamond Harbour. He evaded payment of rent and cesses for more than 20 years, through the intricacies of the law. This is not the only instance. The number of such Tewaris are not few and far between. The long protracted procedure of the civil courts are simply scandalous. Unusual delay with heavy pecuniary loss and harassment to the parties are very common in our courts. It has caused the ruination of a not inconsiderable number of *zamindars*, but also of the tenants. In the districts of Dacca, Chittagong and Rajshahi, 206 estates in 1927-28 and 230 in 1928-29 were sold for arrears of road and public works cesses alone. We can very well imagine the doleful story of 1930-31 and 1931-32. The grand total of certificate cases in Bengal numbered 57,198 in 1929-30 and it rose to 64,459 in 1930-31, and it will certainly rise still higher in 1932-33. The way in which the certificate dues are realised would stagger humanity. The indignities to which the people in most cases not for any fault of their own, are subjected to by unscrupulous *nazirs* and their assistants would beggar description, which was an undying stain on any civilised administration. These people take undue advantage of the powers vested in them by law to screw out as much bribe as they can out of their victims to put off payment. My attention was drawn by some court people to the highhanded dealings of a callous certificate officer of a neighbouring district. They cited an instance in which a respectable gentleman approached him personally for a little time to pay off his dues. The certificate officer turned him out, like an ordinary felon, but as soon as he paid Rs. 10 to an assistant *nazir*, time was immediately granted. The exactions of some assistant *nazirs* in the same collectorate have earned unenviable notoriety. If the Hon'ble Member cares to know about them, I think I shall be able to help him. In these days of economic distress when it has become almost impossible to realise rents and cesses, and even to raise loan for payment of Government dues, it was nothing short of inhuman torture to have recourse to the certificate procedure without any discrimination whatsoever. Although the Hon'ble Member has just now said that instructions have been issued to use discretion, but that is, I think, a pious wish, and not acted upon. As I have already

stated, the number of certificate cases are going up disproportionately higher without the least regard for the unprecedented economic crisis with which the people are confronted. You impose a tax and thrust it on the landholders to realise it, and you make them responsible for due payment. You have your handy and easy certificate procedure to realise it from them irrespective of the difficulties they experience in its realisation. You do not afford them the same facilities as you enjoy. This is *zoolum*, pure and simple. Hundreds of estates have been sold for non-payment of cesses alone; the Cess Act is responsible for this deplorable state of things. It should have to be thoroughly recasted and the landlords should be relieved of the burden of realising it. It can be realised through the union boards. It has become not only a constant source of irritation, but is also leading to their ruination. Over and above the road and public work cesses, the *zamindars* are required not only to pay their share, but also to shoulder the responsibility of realisation of other special cesses, such as the sanitary drainage cess, a misnomer as sanitation has not improved a bit but rather deteriorated in which the *zamindars* though not in the least benefited are required to contribute half the cess and shoulder the responsibility of realising the other half payable by the tenants. For instance, the Magrahat Sanitary drainage cess is draining away most of the income which the landholders used to get from their estates under its operation. As the law stands, they must have to contribute their half share, but for the other half, although they failed to realise it from their tenants, they are compelled to pay the tenants' share also. In fact, the whole amount is being realised from them irrespective of the fact whether they can realise it from their tenants or not, and the law affords them very little relief in the matter. The *zamindars* of Bengal have been again charged with the responsibility of realising the primary education cess. I do not know how many of the estates will survive when the Act will be put into operation.

However, it is high time for the Government to take stock of the realities of the situation and think out ways and means to save an important class like the *zamindars* from total extinction. If there be any policy behind it, in favour of wiping out this class from Bengal, the better course for the Government would be to pay the capitalised value to the *zamindars*, and take *khas* possession of their estates. This would be rather a fair deal than to take hold of estates for a song, as is being done nowadays when Collectors taking advantage of the unusual economic distress and consequent helplessness of the *zamindars*, are busy buying estates for the nominal value of Re. 1. Justice and equity, therefore, demanded thorough re-casting of the Cess Act at an early date. With these few words, I commend my motion to the acceptance of the House.

6-30 p.m.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: I beg to move that the demand of Rs. 1,38,800 under the head "5A—Road cess, valuation and revaluation establishment" be reduced by Re. 1 (amendment of section 45 of Bengal Cess Act with a view to extend the period of 15 days' grace, within which the road cess is now payable, to one of 30 days).

Sir, as it stands at present, 15 days' grace is granted for the payment of the cess. The object of my motion is that if 15 days' more time is given, it will relieve not only the *zamindars*, but it will be advantageous both to the district boards and the Government. To make the point clear, I will cite one instance. Take, for example, the June *kist*, when the revenue is paid on the 28th of June and adding 15 days' grace, it comes to 13th of July for the payment of the cess. The time for the recovery of rents from the tenants comes to about the 16th of July, whereas the payment of cess has to be made on the 13th of July. Thus it is short by 3 days. The *zamindars* have to pay cess at a time when their collection is not completed. Moreover, it takes time to remit the rent from the *mufassal* to the *sadar* and from *sadar* to the collectorate. If 15 days' more time is granted, it will relieve the *zamindar*. Sir, in this connection the Government may say that they are merely the agents of the district boards and they have nothing to do except to realise the cess. In anticipation of this, I asked all the district boards to submit their opinions on this subject and I am glad to say that practically all the district boards have agreed to my proposal and I can quote a few instances. The Burdwan District Board in its resolution, dated the 28th August, 1931, stated that they agreed to my proposal. The Birbhum District Board in its resolution, dated the 26th September, 1931, stated that they had no objection. The Midnapore District Board also said the same thing. The 24-Parganas District Board further agreed to file certificates after six months from the date of revenue. The Nadia District Board agreed to my proposal and the same is the case with Murshidabad and Jessore. The Dacca and Mymensingh District Boards agreed heartily with my proposal and asked me to move my motion without further delay. The Faridpur, Chittagong, Tippera, Rajshahi, Dinajpur, Rangpur, Jalpaiguri,—practically every district board,—has accepted my proposal. Sir, now if time be allowed, I can assure the House that there will be less number of certificate cases. The district boards do not like that their money be realised by the certificate procedure. That means that they have to realise the cess six months afterwards. On the other hand, the tenants will also be relieved because they will have not to pay the rent at a time when the prices of their crops may not bring sufficient money. Now if they are allowed 15 days' more time, they will be able to dispose of their produce at a proper price. Government too

will be relieved of the duty of assessing less number of certificate cases. There will be less work for them. With this object in view, I beg to appeal to the Hon'ble Member-in-charge to see that section 45 of the Cess Act be amended at an early date as per my suggestion. There cannot be any reasonable objection for this when the Government is merely an agent of the district boards whose wishes they should carry. If the Government do not act, it tantamounts to their inference to the wishes of the district boards. With these few remarks I beg to move the motion.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 1,38,000 under the head "5A—Charges of Administration- Road cess valuation and revaluation establishment" be reduced by Rs. 5 (to raise the question that the value of land has decreased owing to the decreased price of paddy and jute at the time of road cess valuation and revaluation).

He spoke in Bengali, the English translation of which is as follows:—

"In connection with the resolution for a cut of Rs. 5 from Rs. 1,38,800 for the establishment of the Road Cess Valuation and Revaluation Department, I want to say that the officers in charge of assessment of cess generally find out the average price of paddy of several years from the calculation of the price of the yield of medium class of land for one year and thereafter proceed to fix the annual valuation of paddy-growing and other kinds of land and assess the cess on this value. The assessment of cess has been started in Chittagong from the year 1929 and it still continues. The average price of the total yield of an acre of paddy land in this district has been estimated at Rs. 10. But the price of paddy has gone down considerably at present. Paddy which sold at Rs. 4 a *maund* during and before the year 1929 can now hardly fetch Rs. 1-4 *per maund*. Similar is the condition of jute. In these circumstances, the assessment of cess upon the basis of the above calculation should be revised in the light of the depreciation in value which land in Chittagong and other districts has suffered during the several years past in consequence of the extremely low price of agricultural produce.

I hope this motion will find your unstinted support and Government will accept it."

Maulvi SYED MAJID BAKSH: I beg to move that the demand of Rs. 39,04,000 under the head "5—Land Revenue" be reduced by Rs. 5 (to draw the attention to the excessive assessment of cess and the failure to take effective steps for its proper assessment).

Sir, as regards the assessment of cess, I think the point has been very ably discussed by the various speakers who have preceded me. All that I would like to point out is this that the cess has been assessed by putting a wrong interpretation on the Act. As has been pointed out already, if a *raiyat* sublets a small portion of his land, he is a *raiyat* in the eye of the Bengal Tenancy Act but he becomes a tenure-holder in the eye of the Cess Act and in being so all his *khas* lands are recorded as assets and their valuation is increased and therefore he has to pay higher cess. The annual valuation should as closely as possible be according to the rent that is paid every year. That is the purpose underlying the Cess Act but the revenue authorities utterly forget the underlying idea of the Cess Act and increase the valuation which is, in my opinion, wrong in the eye of law. I hope the Hon'ble Member-in-charge being a great lawyer will agree with me on this point.

The Hon'ble Sir B. B. GHOSE: The hon'ble member forgets that I have never been a lawyer.

Maulvi SYED MAJID BAKSH: At any rate I can say that the Hon'ble Member possesses some knowledge of the law. In many districts I know that suits are being instituted against Government for putting a wrong interpretation and many of the suits have been decreed proving that the interpretation given by Government is wrong and that even if a *raiyat* sublets his land he still remains a *raiyat* and does not become a tenure-holder. Secondly, the present oppressive nature of the cess is due to another fact which, I think, the Hon'ble Member possesses sufficient estimation of the situation to understand. It is this: The valuation that is put upon the land is according to the assessment that was made last time about four or five years ago. Then the price of food crops and other agricultural crops was high, and, therefore, the annual valuation in my district at least was very high. Therefore the annual valuation of my district at least—I do not know of other districts—but from what I have heard here it is the same in other districts—the annual valuation was put at Rs. 18 per acre which was formerly Rs. 6. I think many members present here know something of the rent that is being paid by the *raiyats* in Bengal. There is hardly any land for which Rs. 6 is being paid as rent and the annual valuation according to the Cess Act must conform as nearly as possible to the annual rental payable for the land unless there is something by which a deviation becomes allowable. Therefore, if the annual rent for one *bigha* of land is not Rs. 6, Government has no right whatever under the Cess Act or any other Act or even under commonsense to put a valuation on that *bigha* at Rs. 6. That is where oppression comes in. I am glad to learn from the Hon'ble Member that

the footnote to section 24 of the Cess Act has been omitted. That will go a great deal to relieve the difficulties but although the omission of the footnote will relieve some of the *raiyats* who were regarded as tenure-holders and who will henceforth be regarded as *raiyats*, still oppression and high valuation of the land remains and so long as that remains, the oppression will continue. For example, for Rs. 2 the cess will be annas 2 whereas if annual valuation is Rs. 12, it will be annas 12, that is, 12 times what used to be realised before. A land which used to pay Rs. 4 a year as cess has now to pay Rs. 50 as cess. The tenure-holders and middle-class men who are the greatest sufferers will have to sell all their lands and belongings. The *raiyats* even if they do not sublet their lands and do not come under the purview of section 24, even then they will have to pay a cess calculated on the annual valuation of Rs. 18 per acre.

6-45 p.m.

It is an abnormal rise which is not supported by any rise in the price of food crop and is not supported by anything. On the other hand as the price of food crops is going down the price of land is going down also. Government should at once constitute a commitee of revaluation; it must start revaluation proceedings; then it will be found that the value of land has much decreased and that instead of Rs. 18 or Rs. 20 the price of land has come down to Rs. 5 or Rs. 6 per acre. If they do that they will automatically find that the cess should come down to about one-third of what is paid now, and the tenant will automatically find relief. No argument will be necessary here, no assurance from the Hon'ble Member will be required. Only conform to the actual law laid down by the Cess Act, that is, only value the land according to the price of crops, which will approximate to the annual rent payable. If you conform to this and start revaluation you will find that these apprehensions will be removed, and the people will gladly pay the cess. As an honourable member has said they do not like to enjoy their land without paying rent or without paying cess; they have not yet been inoculated with the idea of non-payment of rent; that idea has not entered their head yet, but what they will do in the future, I cannot of course vouch. At present they are ready to pay if they can but if the price of the crops which they produce hardly comes up to Rs. 6, how will they pay rent or cess together out of this small sum? The rent may be only Rs. 2 and the cess annas two, but even this they cannot pay as they find it impossible to keep their body and soul together. It is a mere misinterpretation of the cess law, it is a misapplication of the Cess Act and it is the conception of a Chimerical idea to create a situation which does not exist. If they start revaluation now they will find that all difficulties and all complaints about the Cess Act will be removed and will disappear in a moment.

Unless they do this or are prepared to do this it is not by any means certain that they will be able to relieve the distress from which the poor tenants are at present suffering.

Dr. NARESH CHANDRA SEN GUPTA: In discussing this motion with regard to the Cess Act and its administration I do not want to go in detail into the grievances which have been agitated on the floor of this House ever since I came here. In the year 1930 and again in 1931 this matter was discussed and the Hon'ble Sir P. C. Mitter, who was then the Member in charge of the Revenue Department, made a solemn promise with regard to bringing up an amending Act before this Council. We were told last year that materials were being collected and when they were collected they would be placed before a committee. Although Sir P. C. Mitter at that time did not give us an assurance as to the date when the committee would be appointed, he was good enough to indicate that it would be appointed in 4 or 5 months' time. But, Sir, complaints were made to him that his promise for the appointment of a committee made a year previous had not been fulfilled. Not only 4 or 5 months but a whole year has passed and we do not yet know that Government really contemplate the appointment of a committee. It is some relief to us to know that the objectionable footnote to section 24 of the Cess Act has been removed. But then what about the valuations made on the basis of that footnote? Has there been any revaluation under the new rule? I think nothing has been done so far.

But apart from that, the Hon'ble Sir P. C. Mitter admitted frankly that there were great anomalies in the Cess Act which would be re-examined from numerous points of view and removed. A special officer had been appointed; he had made a preliminary report already and Mr. Fawcus was considering that report. But what has happened to that in the course of the last 12 months since then? We would like to know. But I can assure the Hon'ble Member that the House will not any longer be content with sweet words or assurances of the Hon'ble Member to do something in an indefinite future. Many assurances have so far been given but nothing has been done to implement them. Our grievances on this subject are very keen and further waiting is impossible: it would prove too much even for our patience.

The next point I would like to emphasise in connection with this motion is this: it would be absolutely criminal on the part of Government to insist on proceeding with the cess revaluation work in this year of economic distress. I should have thought that even last year Government should have stopped cess revaluation; at any rate it should have been stopped for this year. Not only is the country passing through a very critical time but every one is trying in vain to keep his body and soul together. This is not the time to harass people with the elaborate procedure of cess revaluation and survey and settlement operations, which are long and costly.

Then again the whole basis of the Cess Act has got to be examined and Government are in promise bound to re-examine the whole basis of the Act. Is it the time then to carry on cess revaluation? On what basis are they going to re-value the holdings? If they do so on the present basis next year perhaps they may have to change it on the advice and recommendation of the committee which they will appoint, and a fresh cess revaluation may be necessary. So I would submit that everything now points to the stoppage of this cess revaluation. You should stop activities of this kind at a time when both the *raiyat* and the *zamindar* are hard pressed and are concentrating their energies on rebuilding their economic structure; at such a moment they should not be harassed with proceedings like this which take up not only much of their time and attention but also result in great economic loss.

Some reference has been made to the way in which the cess revaluation works out in individual cases. There is enormous rise in some cases. The Report of the Land Revenue Administration for the Presidency of Bengal shows that in one case an increase of 100·2 *per cent.* resulted from a cess revaluation, and in another case 100 *per cent.*; but these are rather special cases. In other cases it comes to about 34 to 36 *per cent.* Is this the time to increase the burden of the people? This is rather the time when Government should set about finding out by all manner of means how to alleviate and remove the burden of the people; not the time for Government to set about devising ways and means for increasing their burden. I hope that Government will realise the urgency of the matter and stop the work of cess revaluation accordingly.

Mr. SHANTI SHEKHARESWAR RAY: Speaking as a landholder I may say that I whole-heartedly support the motion moved by my friend Maulvi Jalaluddin Hashemy. Here is a motion which the representatives of the tenants as well as of the landholders can very well support and make a common cause in the interest of both. Though the motion as it stands looks as if it is in the interest of the *raiyats* only but I say it will also be helpful to the landholders if it be carried, because though the *raiyats* suffer in having to pay additional cess a good deal of trouble, inconvenience and resentment is felt against the landlords who have to collect the cess and pay it to the Government. The matter has been discussed so many times and on so many occasions that it is hardly possible to add anything new and my only excuse for taking part in the debate is to assure my friends that the landholders also feel for the *raiyats*.

Adjournment.

The Council was then adjoured till 3 p.m. on Tuesday, the 15th March, 1932, at the Council Chamber, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 15th March, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 107 nominated and elected members.

Starred Questions

(to which oral answers were given).

Noabad mahals of Chittagong.

***127. Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) how many defaulting *Noabad mahals* in different *khas mahals* in the district of Chittagong had to be purchased by the Government and made *khas* in the revenue sales in course of the last two years;

(*ii*) whether those *mahals* were sold in public sales;

(*iii*) whether there were large gatherings at the sale; and

(*iv*) whether there was any bid at the sales?

(*b*) If there were no bids at the sales, to what reasons might this be ascribed to?

(*c*) Has anybody taken settlement of the said *taluks* made *khas* by the Government?

(*d*) Will the Hon'ble Member be pleased to state—

(*i*) how many temporary estates of the *Noabad taluks* and *jotes* were resettled during the last revisional survey operation in the town of Chittagong;

(*ii*) what was the revenue of those *mahals* before the revisional survey;

(iii) what is the revenue of those *mahals* after the said survey; and

(iv) how many times the revenue has been enhanced on an average?

(e) Are the Government aware of a feeling that exists that the revenue of the *Noabad mahals* in Chittagong is exorbitant and excessive?

(f) Are the Government prepared to reconsider the assessment of revenue of the said *Noabad mahals*?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir B. B. Ghose): (a) (i) 1929-30—39; 1930-31—53.

(ii) Yes.

(iii) Yes.

(iv) No, not for the *Noabad taluks* purchased by Government.

(b) In the few cases in which there were no bids the reasons might be (i) diluvion, (ii) very small area, and (iii) waste lands yielding small profit.

(c) Yes, in most cases.

(d) (i) Part of one estate No. 34609 was resettled in the town of Chittagong comprising 525 *Noabad taluks* and 231 *jotes*.

(ii) Rs. 3,828-5-5.

(iii) Rs. 6,464-4.

(iv) By 69 per cent. in the cases referred to.

(e) Representations have been made that the rent is excessive in comparison with the present price of paddy.

(f) No. Hitherto no valid grounds for reduction of assessment have been advanced.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to tell us with reference to answer (d) (ii) and (iii) why there has been an increase of revenue in these *mahals*?

The Hon'ble Sir B. B. GHOSE: I want notice.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to tell us whether the assessment was on the basis of the enhanced rent after the bid?

The Hon'ble Sir B. B. CHOSE: I want notice.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to tell us whether the increase by 69 *per cent.* as given in answer (*d*) (*iv*) is not excessive?

The Hon'ble Sir B. B. CHOSE: No. It must have been due to the increase in the price of land in the Chittagong town.

Maulvi SYED MAJID BAKSH: With reference to answer (*a*) (*i*), will the Hon'ble Member be pleased to tell us why in one year there was such a large increase in the sale of *Noabad mahals*?

The Hon'ble Sir B. B. CHOSE: I want notice.

Babu HEM CHANDRA ROY CHOUDHURI: With reference to answer (*c*), will the Hon'ble Member be pleased to state whether those *mahals* were settled at an enhanced rate of rent?

The Hon'ble Sir B. B. CHOSE: The answer is there. We have no information.

Babu HEM CHANDRA ROY CHOUDHURI: With reference to answer (*b*) *viz.*, that there were no bids for the reasons (*i*) diluvion, (*ii*) very small area, and (*iii*) waste lands yielding small profit, will the Hon'ble Member be pleased to state what attracted the persons to take settlement of those *mahals*?

The Hon'ble Sir B. B. CHOSE: It is impossible to say. It is their own business.

Khan Bahadur MUHAMMAD ABDUL MOMIN: If the enhancement of rent was based on the rise of the price of staple food crop, will the Hon'ble Member be pleased to state whether in the present conditions, when the price of staple food crops is gradually on the decline, there is any remedy for getting any reduction?

The Hon'ble Sir B. B. CHOSE: It is too hypothetical a question to give an answer.

[HAJI BADI AHMED CHOWDHURY asked some supplementary questions in Bengali to which answers were given by the Hon'ble Member in Bengali.]

Primary education work in Director of Public Instruction's office.

*122. **Maulvi SYED MAJID BAKSH:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that Government now attaches much importance to the spread of primary education?

(b) How many Moslem assistants are now engaged on primary education work in the office of the Director of Public Instruction, Bengal?

(c) If no Muhammadan assistants have been engaged on primary education work in the aforesaid office, are the Government considering the desirability of taking steps in the matter?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (a) Yes.

(b) None.

(c) The distribution of the work of his office is a matter entirely within the discretion of the Director of Public Instruction.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether he has not power of supervision over the discretion of the Director of Public Instruction?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have no reason to interfere with his discretion.

Maulvi SYED MAJID BAKSH: If he finds that Muslim assistants are not employed, is it not enough reason for interfering?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Unless Muslim interests suffer.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state what occasion is there for the appointment of Muhammadan assistants to deal with the spread of primary education?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: None whatever.

Mr. SYAMAPROSAD MOOKERJEE: Is it not a fact that the Hon'ble Minister himself being a Muhammadan can look after the interest of Muhammadans in regard to the spread of primary education?

(Cries of "no.")

Détenu Ambica Charan Chakravarty.

*129. **Mr. R. MAITI:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact—

(*i*) that one Ambica Charan Chakravarty, an undertrial prisoner in connection with the Chittagong Armoury Raid case, has been suffering from T. B.;

(*ii*) that he has been kept in solitary confinement in the Midnapore Central Jail for some months past; and

(*iii*) that no opportunity is being given to him for having some walking exercise every morning and evening for certain hours in an open space inside the jail compound for the improvement of his health?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action the Government contemplate taking for the removal of these restrictions and for making proper arrangements for his food and treatment?

(*c*) Is it also a fact that the letters written by him to a lawyer of Midnapore town for legal advice regarding the pending case against him have been withheld?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state under what authority or under whose orders the letters were withheld?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) (*i*) It is reported that since the prisoner's transfer to the Midnapore Central Jail in August, 1931, no active signs of T. B. lesion have been found in his lungs. He is much improved in health and his weight has increased from 150 lbs. to 157 lbs.

(*ii*) No.

(*iii*) No. He is given necessary facilities under the Jail Code Rules.

(*b*) Does not arise.

(*c*) and (*d*) One letter to a lawyer was withheld by the Superintendent under the orders of District Magistrate, but subsequently an interview with the lawyer was allowed.

Babu SATISH CHANDRA RAY CHOWDHURY: With reference to answer (*c*), will the Hon'ble Member be pleased to state whether there was anything objectionable in the letter justifying its withholding?

The Hon'ble Sir B. B. GHOSE: Because the letter was considered objectionable.

Babu HEM CHANDRA ROY CHOUDHURI: With reference to answer (*c*), will the Hon'ble Member be pleased to state under what rules of the Jail Code the letter was withheld?

The Hon'ble Sir B. B. GHOSE: The member is referred to the Jail Code.

Mr. R. MAITI: With reference to answer (*c*), will the Hon'ble Member be pleased to state who is the lawyer and when was the interview allowed?

The Hon'ble Sir B. B. GHOSE: I do not know.

Babu SATISH CHANDRA RAY CHOWDHURY: With reference to answer (*a*) (*i*) (*ii*) and (*iii*), will the Hon'ble Member be pleased to state whether the facilities offered by the Jail Code are enough for a man suffering from T. B.?

The Hon'ble Sir B. B. GHOSE: It is more than I can say.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether it is a fact that this undertrial prisoner was assaulted by a warder recently?

The Hon'ble Sir B. B. GHOSE: I want notice. It does not arise from the original question.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether he is prepared to make an inquiry into the matter?

The Hon'ble Sir B. B. GHOSE: I have already asked for notice.

Passage of persons arrested but released under the Emergency Powers Ordinance in Midnapore.

*139. **Mr. R. MAITI:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state, with the period of detention against each,—

(*i*) how many persons have been arrested and detained under the Emergency Powers Ordinance (*i.e.*, Ordinance No. II of 1932) from each subdivision of the district of Midnapore and

(*ii*) how many of them have been released?

(*b*) Is it a fact—

(*i*) that the released prisoners have not been paid anything as expenses for going back to their respective homes; and

(*ii*) in many cases they have had to perform several days' journey on foot from the jail where they were detained?

(*c*) Is the Hon'ble Member aware that the ordinary convicts or undertrials are always paid their expenses for journey home after release?

(*d*) If the answers to (*b*) and (*c*) are in the affirmative, will the Hon'ble Member be pleased to state the reasons for the differential treatment?

The Hon'ble Sir B. B. GHOSE: (*a*) (*i*) and (*ii*).

		Arrested.	Released.
Sadar	...	33	31
Contai	...	9	9
Ghatal	...	4	4
Tamluk	...	10	10

(*b*) (*i*) Yes.

(*ii*) Government have no information.

(*c*) Yes.

(*d*) Because they are neither convicts nor undertrials.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state if under the Jail Code divisions I and II prisoners, when escorted by Indian police officers in their railway journey, get inter-class travelling and when escorted by sergeants, get second class travelling? What is the reason for this distinction?

The Hon'ble Sir B. B. CHOSE: This does not arise out of the original question. The question was with regard to persons arrested and detained under the Emergency Powers Ordinance.

Mr. PRESIDENT: I agree—this does not arise out of the original question.

Mr. R. MAITI: With reference to answer (*a*), will the Hon'ble Member be pleased to state whether the persons arrested were kept in the Midnapore Central Jail?

The Hon'ble Sir B. B. CHOSE: I ask for notice.

Maulvi SYED MAJID BAKSH: With reference to answer (*b*) (*i*) and (*ii*), will the Hon'ble Member be pleased to state why these persons were arrested at all?

The Hon'ble Sir B. B. CHOSE: It is not my affair at all.

Dr. NARESH CHANDRA SEN GUPTA: With reference to answer (*b*) (*ii*), did the Government make any inquiry into the matter?

The Hon'ble Sir B. B. CHOSE: No. If any information comes to Government, they will make inquiry.

Dr. NARESH CHANDRA SEN GUPTA: Is it not usual for Government, after receipt of a notice of a question, to send it to the local authorities for report?

The Hon'ble Sir B. B. CHOSE: Not in all cases.

Dr. NARESH CHANDRA SEN GUPTA: Did not the Government consider it necessary to ask for a report from the local officers in this particular case?

The Hon'ble Sir B. B. CHOSE: No. When no complaint was received, Government did not consider it necessary.

Mr. R. MAITI: Is it not a fact that Ghatal, Contai and Tamluk are at a considerable distance from Midnapore?

The Hon'ble Sir B. B. CHOSE: Yes.

Mr. R. MAITI: Were the released persons paid anything for their expenses?

The Hon'ble Sir B. B. GHOSE: The answer is there in reply to question (c).

Mr. R. MAITI: With reference to answer (d) is it consistent with the Government's sense of justice to pay them nothing for their expenses when they were brought from a long distance?

Mr. PRESIDENT: I do not allow that question.

Babu SATISH CHANDRA RAY CHOWDHURY: Is there anything in the rules against the granting of travelling allowances to these prisoners?

The Hon'ble Sir B. B. GHOSE: No. The rules do not provide for anything and, therefore, they were not paid.

Classification of prisoners in the Midnapore Jail.

*131. **Babu SATISH CHANDRA RAY CHOWDHURY:** (a) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state—

(i) how many persons, including females, have been arrested and convicted in connection with the present civil disobedience movement since August last in the district of Midnapore; and

(ii) in how many cases of such conviction the recommendations of the trying Magistrate for higher division classification were upset by the Additional District Magistrate of Midnapore and the convicted persons have been ordered by him to be placed in the lowest division?

(b) Will the Hon'ble Member be pleased to state on what principles or under what authority the recommendations of the trying Magistrate were not accepted by the Additional District Magistrate of Midnapore?

The Hon'ble Sir B. B. GHOSE: (a) (i) Out of 1,155 males and 56 females arrested, 1,101 males and 54 females have been convicted.

(ii) The Additional District Magistrate did not upset any recommendation of the trying Magistrate.

(b) Does not arise.

Maulvi SYED MAJID BAKSH: (Inaudible in the Reporters' gallery.)

The Hon'ble Sir B. B. GHOSE: I have no information as regards that.

Arrangement for interviews in Dum Dum Special Jail.

***132. Mr. SHANTI SHEKHARESWAR RAY:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether divisions 1 and 2 prisoners in the Dum Dum Special Jail are required to stand behind iron barred partitions while interviewing visitors?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reason therefor?

The Hon'ble Sir B. B. GHOSE: (*a*) There are two rows of wire-netting between the office room where the interviewers sit and the room in front of it where the prisoners wait.

(*b*) The object of this arrangement is to prevent the passing of unauthorised articles into and out of the jail.

3-15 p.m.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to tell us if such an arrangement exist in any other jail in the province?

The Hon'ble Sir B. B. GHOSE: I am not sure. I would ask for notice so that I might inquire.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to tell us whether in view of the huge grant which the Council makes to the Jail Department, this is the only arrangement by which the passing of unauthorised articles can be prevented?

The Hon'ble Sir B. B. GHOSE: If more money is given, we can appoint more jail officers in order to exercise more supervision. The difficulty is that there is only one jailor in Dum Dum.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state what action he has taken with regard to the petition I submitted to him in person?

The Hon'ble Sir B. B. GHOSE: I do not remember having received any petition.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to tell us if it is an innovation and, if so, it has his approval?

The Hon'ble Sir B. B. GHOSE: It is not an innovation, and it has been in existence from before my time.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether this arrangement was in existence last year?

The Hon'ble Sir B. B. GHOSE: I am not aware of it. I would ask for notice.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to tell us the reason for contradicting my statement?

The Hon'ble Sir B. B. GHOSE: I am not aware whether this was in existence last year and it is impossible for me to contradict the member. I have already asked for notice

Mr. SHANTI SHEKHARESWAR RAY: In view of his present answer, will the Hon'ble Member withdraw the statement he made before?

Mr. PRESIDENT: What is that?

Mr. SHANTI SHEKHARESWAR RAY: Sir, when I suggested that this was an innovation and I asked whether it had the approval of the Hon'ble Member, the Hon'ble Member stated that it was not an innovation; then I asked him whether it existed last year and he could give no information on that point.

Mr. PRESIDENT: I think you are carrying things too far.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the present arrangement is causing great inconvenience to the visitors?

The Hon'ble Sir B. B. GHOSE: The answer is given in (*b*). It may be inconvenient, but the object is to prevent the passing of unauthorised articles into and out of jails.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state whether it is not a fact that interviews are allowed in the presence of jail officers?

The Hon'ble Sir B. B. GHOSE: I have already answered it in reply to a supplementary question. I have already stated that there is only one jail officer in Dum Dum.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to tell us with reference to answer (*b*), how many cases of smuggling of unauthorised articles have been brought to the notice of the Hon'ble Member?

The Hon'ble Sir B. B. GHOSE: I would ask for notice.

Babu SATYENDRA NATH ROY: Is the Hon'ble Member aware that in the Central Jail at Alipore division I and division II prisoners are allowed to be interviewed in the office of the Superintendent and division III prisoners in an iron-barred enclosure?

The Hon'ble Sir B. B. GHOSE: The Jail Code provides for both methods of interview.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state if this arrangement was made because of smuggling having taken place or for the purpose of preventing smuggling?

The Hon'ble Sir B. B. GHOSE: The answer is there; to prevent smuggling.

Mr. NARENDRA KUMAR BASU: Had any actual case of smuggling taken place before these arrangements were made?

The Hon'ble Sir B. B. GHOSE: I would ask for notice.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member tell us whether or not there are any holes in the wire-netting? (Loud laughter.)

Use of mosquito nets by prisoners in Dum Dum Special Jail.

*133. **Mr. SHANTI SHEKHARESWAR RAY:** Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that many divisions 1 and 2 prisoners in the Dum Dum Special Jail have refused to use mosquito nets not made in India?

The Hon'ble Sir B. B. GHOSE: Yes: some division I and division II prisoners in the Dum Dum Special Jail at first declined for 3 or 4 days to use mosquito nets the cloth of which had not been made in India, but since then they have been using such nets without objection.

Rai SATYENDRA KUMAR DAS Bahadur: Will the Hon'ble Member be pleased to see that in future India-made articles are provided to prisoners to encourage indigenous goods?

The Hon'ble Sir B. B. GHOSE: I cannot promise.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to tell us whether it is not a fact that India-made articles are available in the market?

The Hon'ble Sir B. B. GHOSE: I am sorry, I am not aware of it, because I seldom go to market now.

Unstarred Questions

(answers to which were laid on the table).

Tax-payers of municipal and rural areas.

76. **Maulvi TAMIZUDDIN KHAN:** Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing separately in respect of sex and religion for the present as far as possible—

(i) the number of persons residing in each municipality in this province, paying any kind of tax (income-tax, any kind of municipal rate or tax or any other kind of tax including land tax);

(ii) the number of persons residing in each district in rural non-municipal areas, paying any kind of tax (income-tax, road cess, union board tax, chaukidari tax or any other tax);

(*iii*) the number of persons belonging to the depressed classes resident within each municipality paying any kind of tax;

(*iv*) the number of persons belonging to the depressed classes resident in rural non-municipal areas in each district paying any kind of tax;

(*v*) the total number of public women residing in municipal areas paying any kind of tax; and

(*vi*) the total number of public women residing in rural non-municipal areas in the province paying any kind of tax?

The Hon'ble Sir B. B. GHOSE: (*i*) and (*ii*) A statement giving provisional figures of the number of Muhammadans and non-Muhammadans paying union board rate or *chaukidari* tax or union committee rate and municipal tax is placed on the table.

No figures are available for land revenue or cess and the Local Government have no figures for income-tax which is a central subject.

(*iii*) to (*vi*) Government regret that the difficulty and expense of obtaining these figures would be so great that they cannot undertake to do so.

Statement referred to in the answer to clauses (i) and (ii) of unstarred question No. 76.

Provisional figures.

I.—RURAL AREAS.

	Muhammadan.	Non-Muhammadan.	Total.
Total number of rate-payers in union boards ..	3,371,607	2,202,266	5,573,873
Total number of rate-payers in union committees	9,381	18,127	27,508
Total number of persons paying *chaukidari* tax	381,738	653,495	1,035,233
Total ..	3,762,726	2,873,888	6,636,614

II.—URBAN AREAS (EXCLUDING CALCUTTA).

Total number of rate-payers in municipalities excluding Calcutta, Howrah and Darjeeling ..	93,183	262,727	355,910

III.—RURAL AND URBAN AREAS (EXCLUDING CALCUTTA).

Total number of rate-payers in union boards, union committees and municipalities (excluding Calcutta, Howrah and Darjeeling) and persons paying *chaukidari* tax	3,855,909	3,136,615	6,992,524

Note.—A detailed statement has been placed on the library table.

Bengal Engineering College staff.

77. **Maulvi MUHAMMAD SOLAIMAN:** (*a*) Has the attention of the Hon'ble Minister in charge of the Education Department been drawn to the anomaly existing in the Bengal Engineering College regarding the pay and allowance of the college staff?

(*b*) Is the Hon'ble Minister aware—

(*i*) that Mr. T. A. Garland, Assistant Professor of Civil Engineering, appointed on the 3rd February, 1931, has been put in the grade of Rs. 750—50—950 with overseas pay of £35 per month;

(*ii*) that Mr. C. V. Miller, the Professor of Engineering (Civil) and in charge of the Department, appointed on the 29th of February, 1929, has been serving in the grade of Rs. 700—50—900 with overseas pay of £25 per mensem; and

(*iii*) that Mr. J. Riffkin, Professor of Mechanical Engineering and also Superintendent of the Workshop of the College, has been appointed in the grade of Rs. 700—50—900 with overseas pay of £25 per mensem?

(*c*) If the answer to (*b*) is in the affirmative, what are the reasons for the differential treatment?

(*d*) Are the Government considering the desirability of taking steps to remedy the apparent anomaly?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Yes.

(*b*) (*i*) Mr. Garland's pay is as follows:—

Rs. 750 and £30. Rs. 800 and £30. Rs. 850 and £30 (Pause). (Efficiency Bar). Rs. 850 and £35. Rs. 900 and £35. Rs. 950 and £35.

He was appointed on the 2nd February, 1931.

(*ii*) Yes. He was appointed on the 19th February, 1929.

(*iii*) Yes.

(*c*) The terms of appointment of Messrs. Miller and Riffkin corresponded with those of their predecessors.

The post of Assistant Professor of Civil Engineering was only created in 1930, taking the place of an Assistant Professorship of Drawing in the Indian Educational Service and Mr. Garland was the first incumbent. The advertisement, which invited applications for the new post, required candidates to possess special qualifications At the time when the advertisement was issued, it was anticipated

that the new grade I of the Bengal Educational Service would be constituted almost immediately and the rates of pay offered therefore had some relation to the terms proposed for the new grade.

(*d*) No. After due consideration of all the circumstances, Government decided that no action was necessary. The "anomalies" will disappear when the new grade I is constituted.

Ferry connection between Lalgola Ghat and Godagari Ghat.

78. Babu KISHORI MOHAN CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state whether the Eastern Bengal Railway at present provide a special steamer for the purpose of maintaining the ferry connection between Lalgola Ghat (Murshidabad district) and Godagari Ghat?

(*b*) Will the Hon'ble Member be pleased to lay on the table a statement showing for the last six months ending December, 1931,—

(*i*) the total revenue received in ferry charges on (*a*) passenger, (*b*) luggage, parcels, etc., (*c*) freight traffic; and

(*ii*) the total cost of maintaining the ferry steamer (including upkeep, depreciation and capital interest, etc., thereon, staff expenses and the cost of maintaining *ghat* and river connections)?

(*c*) Is it a fact that the Railway authorities have in the past considered the advisability of leasing the ferry service to outside contractors, in view of the loss sustained by the Railway in maintaining the service, and the need for economy in Railway expenditure?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state the reason why arrangements of this nature have not yet been made?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) Yes.

(*b*) The labour involved in compiling the statement would be excessive and Government regret they are not prepared to undertake it.

(*c*) Yes.

(*d*) The earnings of the ferry are not large and for an outside contractor to make any profit at all out of the transaction, it would

be necessary to work it at a very much lower standard than that maintained by the Railway, which would lead to constant complaints and representations to the Railway administration to take over the working, as has happened in the case of those ferries which are at present worked through the agency of contractors. It is true that the Railway are not covering the expense of working the ferry, but as it is considered that it influences the movement of traffic on a comparatively large area and earnings not directly creditable to the ferry are provided to the railway, the Eastern Bengal Railway administration, after considering the question in all its bearings, have come to the conclusion that the best interests of the travelling public and the Railway will be served if the Railway continue to run the ferry.

Babu KISHORI MOHAN CHAUDHURI: Will the Hon'ble Member be pleased to state whether he is aware that a steamer service is carried on by the India General Steam Navigation Company from Lalgola Ghat to Goalundo *via* Godagari Ghat?

The Hon'ble Mr. A. MARR: Yes, I am aware of it.

Babu KISHORI MOHAN CHAUDHURI: Will the Hon'ble Member be pleased to state whether any offer was made to the steamer company to take up the ferry service at the standard of the railway company?

The Hon'ble Mr. A. MARR: I am not aware of any offer having been made to the steamer company.

Babu KISHORI MOHAN CHAUDHURI: Will the Hon'ble Member be pleased to inquire whether any such arrangement can be made?

The Hon'ble Mr. A. MARR: I ask for notice.

Union boards in Hooghly.

79. Babu HARIBANSA ROY: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether Government paid any sum to the Hooghly district board during the year 1930-31 for making grants to the union boards?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the amount of such grants?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) and (*b*) No such grant other than the augmentation grant of Rs. 27,868, among the objects of which is to facilitate assistance to union boards, was paid to the Hooghly district board in 1930-31.

DEMANDS FOR GRANTS.

5—Land Revenue.

The discussion under the head "5—Land Revenue" was then resumed.

Mr. PRESIDENT: I may tell the house that items Nos. 9, 10, 12 to 15, 17 and 89 are all under discussion.

The Hon'ble Sir B. B. GHOSE: Sir, in replying to these motions, the first point that I would like to state is that one member has accused Government in a very fervent and eloquent manner for carrying on the revaluation proceedings in spite of the present distressing economic situation in the country of a criminal act. Well, it would be a sad thing if Government have been guilty of committing any criminal act. The same charge was brought forward by some other members but not in so forceful a language. The reply that I can give is that if members had kindly listened to what I said in moving the grant, they would not have brought forward that charge. I said distinctly that it was not proposed to do any work of revaluation in 1932, and I pointed out that on account of that decision, the expenses had been curtailed a great deal. Therefore, Sir, there is no ground for making that accusation. It is true that the revaluation proceedings which had been started in different districts are still being continued, and the reason for that I shall state presently. The main question which has been brought forward by the members in support of their motions is in regard to the amendment of Cess Act. I may state that the question of the amendment of the Cess Act is under consideration, but it has not been possible to come to any final decision in the matter as the questions involved are very complicated.

On the other hand, as I stated yesterday, the note to section 24 of the Cess Act has been cancelled and instructions have been issued by the Board which make the assessments more lenient. Thus the valuation of *khas* lands has been limited. Any tendency that may have occurred to over-assess *khas* lands, as compared with equally or more productive lands cultivated by *raiyats*, has been checked and subletting by *raiyats* is being ignored provided that they are themselves cultivating a fair proportion of their lands.

The programme of revaluation has been drastically curtailed. It is going on in the following districts, *viz.*, Birbhum, Murshidabad, *Bakarganj*, Faridpur, Chittagong and Tippera. In *Chittagong*, for *instance, the last revaluation was made in 1907—11. The revaluation* will not cause any hardship as even in the case of *khas* lands, the valuation is at a very low figure in comparison with the normal value of rice. The Collector of Chittagong reports that *khas* lands when let out on produce rent have an annual value of much more than Rs. 10 per acre, even when the price of paddy is Rs. 2 a maund. He says that there are innumerable instances where the annual value of such lands varies from Rs. 30 to Rs. 40 per acre, and the ordinary value of land with paddy at Rs. 2 per maund is from Rs. 15 to Rs. 25. The cess valuation for tho best lands is between Rs. 8 and Rs. 12 per acre according to circumstances. So the instructions that have been issued by the Board cannot be considered to cause any real hardship. In the districts in which revaluation has been taken up, stoppage would involve loss to the district board.

3-30 p.m.

The importance of revision of the Cess Act is, however, fully realised in order to secure a more satisfactory basis of assessment and more equitable distribution of the burden. I may add that proposals for securing these objects have been drawn up, but no final decision has been reached. It is expected that a decision as to the outlines of the Bill will be come to without unreasonable delay. Many will remember that this present Act has been in force for over 50 years and some members have said in the course of their speeches, that the Cess Act has not been properly interpreted or understood by the Revenue authorities; it may or may not be so. As a matter of fact, the Cess Act is not a very ideal Act, and it is very difficult to interpret it, and more difficult to apply it. In order to avoid these complexities in the proposed new Bill, it must require careful consideration, and it cannot be introduced in a hurry. That is the reason why it has not been introduced as yet. We have got the report of the special officer, but that report will have to be thoroughly considered, but as I have said, there will not be any unreasonable delay over this, and members will have an opportunity of discussing it.

As regards the specific complaint in motion No. 13, that hardship has been caused to the district board of Faridpur, the district board, it is true, applied for the postponement of the recovery of the cost of the revaluation operations. The matter was fully considered and the original programme was considerably curtailed to reduce the cost of the operations. The increase of cess that has already resulted from the revaluation proceedings, will soon repay the district board, the expenditure it has incurred.

As regards motion No. 15, the member means that the annual value has decreased. It may be true that the value of land has fallen probably temporarily, owing to the economic situation; on the other hand, the cess valuation has to be fixed for at least five years. In Chittagong, for instance, it is many years since the cess was revalued. Neither the valuation of *khas* lands, nor the rent of *raiyati* lands is nearly as high as would be justified by normal prices of rice.

As regards motion No. 17, there is no good reason for legislation. If the proposed amendment were made, it would indeed prevent the Collector from issuing a certificate until expiry of 30 days after the last date of payment, but the present law does not compel the Collector to do so. Further, it is difficult to understand what harm the possession of the power as at present can do as in actual practice it is very difficult to issue certificates as a general rule within 30 days. As a matter of fact, certificates are not issued within 30 days, interest is not being charged if dues are paid without issue of certificates; but where the amounts covered by certificates have not been paid within 30 days, there is no reason why interest should not be charged. Legislation, therefore, is unnecessary.

On these grounds, Sir, I oppose the motions.

Maulvi TAMIZUDDIN KHAN: Sir, may I ask a question? Can the Hon'ble Member give us any idea as to the time when the amending Bill will be introduced in this House?

The Hon'ble Sir B. B. GHOSE: It is very difficult to state the approximate time, but as I have stated in my reply, every effort is being made to proceed with the matter. The questions are so complicated that any person dealing with the Cess Act will readily understand that it is as bad, as the Bengal Tenancy Act. It will take time to present the considered article before the Council. Therefore it is very difficult to give an idea as to time, whether it will be early next year or in the middle of that year.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be able to tell us whether the idea of appointing a committee this year has been abandoned?

The Hon'ble Sir B. B. GHOSE: I am not aware; it is beyond my knowledge whether a committee will be appointed or not.

The follwoing motions were put and lost:—

"That the demand of Rs. 1,38,800 under the head '5A—Charges of Administration—Road cess, valuation and revaluation establishment' be reduced by Rs. 1,000 (to draw attention to the work of revaluation being done in a drastic manner causing enormous enhancement in road cesses payable by the *raiyats*)."

"That the demand of Rs. 1,38,800 under the head '5A—Charges of Administration—Road cess, valuation and revaluation establishment' be reduced by Rs. 1,000 (to criticise the policy and the desirability of early revision of the Cess Act)."

The following motions were then, by leave of the Council, withdrawn:—

"That the demand of Rs. 1,38,800 under the head '5A—Charges of Administration—Road cess, valuation and revaluation establishment' be reduced by Rs. 100 (to draw attention to the undesirability of carrying on revaluation proceedings in the present distressing economic situation in the country)."

"That the demand of Rs. 1,38,800 under the head '5A—Charges of Administration—Road cess, valuation and revaluation establishment' be reduced by Rs. 100 (to draw attention to the hardship caused to the district board of Faridpur on account of these proceedings)."

"That the demand of Rs. 1,38,800 under the head '5A—Charges of Administration—Road cess, valuation and revaluation establishment' be reduced by Rs. 100 (to draw attention to certain unsatisfactory provisions of the Cess Act and the failure of the Government to take steps for the revision of the Act in spite of repeated assurances)."

The following motion was then put and lost:—

"That the demand of Rs. 1,38,800 under the head '5A—Charges of Administration—Road cess, valuation and revaluation establishment' be reduced by Rs. 5 (to raise the question that the value of land has decreased owing to the decreased price of paddy and jute at the time of road cess valuation and revaluation)."

The following motion was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 1,38,800 under the head '5A—Road cess, valuation and revaluation establishment' be reduced to Re. 1 (amendment of section 45 of Bengal Cess Act with a view to extend the period of 15 days' grace, within which the road cess is now payable, to one of 30 days)."

The motion that the demand of Rs. 39,04,000 under the head "5—Land Revenue" be reduced by Rs. 5 (to draw the attention to the excessive assessment of cess and the failure to take effective steps for its proper assessment), was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Banerji, Mr. P.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bural, Babu Gokul Chand.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Choudhury, Maulvi Nural Abcar.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Das, Rai Bahadur Satyendra Kumar.
Dutt, Rai Bahadur Dr. Haridhan.
Eusufji, Maulvi Nur Rahman Khan.
Ghose, Dr. Amulya Ratan.
Goenka, Rai Bahadur Badridas.
Guha, Babu Prafulla Kumar.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Law, Mr. Surendra Nath.
Maiti, Mr. R.
Mittra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Poddar, Seth Hunuman Prosad.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur.
Raikat, Mr. Prosanna Deb.
Rai Mahasai, Munindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khettar Mohan.
Ray, Babu Nagendra Narayan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Noseni.
Ray, Babu Haribansa.
Ray, Babu Satyendra Nath.
Roy, Mr. Saileswar Singh.
Ray, Mr. Sarat Kumar.
Ray Choudhuri, Babu Hem Chandra.
Saadatullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sen Gupta, Dr. Maresh Chandra.
Shah, Maulvi Abdul Hamid.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.

NOES.

Armstrong, Mr. W. L.
Bartley, Mr. C.
Basir Uddin, Khan Sahib Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Susil Kumar.
Ghose, the Hon'ble Sir B. B.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Gurner, Mr. G. W.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-uz-Zaman.
Leesen, Mr. G. W.
Maguire, Mr. L. T
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mullick, Mr. Mukunda Behary.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Ordish, Mr. J. E.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. J.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rohati Mohan.
Sen, Mr. B. R.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. M. R.
Wordsworth, Mr. W. C.

The Ayes being 54 and the Noes 44, the motion was carried.

The time-limit under the head "5—Land Revenue" having been reached the motion that a sum of Rs. 39,04,000 be granted for expenditure under the head "5—Land Revenue," as amended by the Council, was put and agreed to.

The following motions under the head "5—Land Revenue" were not called owing to the expiry of the time-limit:—

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: "That the demand of Rs. 1,38,800 under the head '5A—Road cess, valuation and revaluation establishment' be reduced by Re. 1 (the desirability of relieving the *zamindars* from the duty of realising road and public work cesses of the rent-free holdings and of reviving the former practice of realising the said cess by the Collector)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 4,89,000 under the head '5A—Charges of Administration' be reduced by Rs. 1,00,000."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 4,89,000 under the head '5A—Charges of Administration' be reduced by Rs. 1,000 (to raise a discussion about continuing the same style of establishment in the face of widespread economic distress prevailing in the country)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 4,89,000 under the head '5A—Charges of Administration' be reduced by Rs. 101 (to draw attention to the stringency of the revenue sale law and to press for its early amendment)."

Rai SATYENDRA KUMAR DAS Bahadur: "That the demand of Rs. 4,89,000 under the head '5A—Charges of Administration' be reduced by Rs. 100 (to protest against expensive system of administration during these days of financial crisis)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 4,89,000 under the head '5A—Charges of Administration' be reduced by Rs. 45 (to raise a discussion and devise means to carry out administration of land revenue effectively and at less cost)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,71,000 under the head '5B—Management of Government Estates—Collection of Revenue' be reduced by Rs. 100 [to draw attention to (i) the necessity of remitting rent wholly or partly in many cases or at least holding realisation of rents in abeyance for some time owing to the distress prevailing amongst the tenants; (ii) the drastic steps that are being

taken for realising rents in spite of the incapacity of the tenants to make payment at present; and (*iii*) the inadvisability of serving *khas mahal* tenants in certain areas (*e.g.*, in the district of Faridpur) with notices of enhancement of rent in the face of the acute economic distress that they are passing through]."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 10,71,000 under the head '5B—Management of Government Estates—Collection of Revenue' be reduced by Rs. 50 (to consider the necessity of postponing the realisation of half the amount of revenue during these days of famine)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 10,71,000 under the head '5B—Management of Government Estates—Collection of Revenue' be reduced by Rs. 33 (to consider the necessity of reducing 40 *per cent.* revenue in the temporary estates till the prices of paddy and jute reach their former rate)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 10,71,000 under the head '5B—Management of Government Estates—Collection of Revenue' be reduced by Re. 1 (to draw attention to the extremely precarious condition of the landholders owing to the non-realisation of rent and to request some relief for them in the matter of payment of revenue)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,28,000 under the head '5B—Management of Government Estates—Colonisation of Sundarbans' be refused."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,28,000 under the head '5B—Management of Government Estates—Colonisation of Sundarbans' be reduced by Rs. 1,000 (to raise a discussion about the method of colonisation)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 1,28,000 under the head '5B—Management of Government Estates—Colonization of Sundarbans' be reduced by Rs. 100 (to criticise the policy followed in settling lands)."

Mr. P. BANERJI: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Rs. 5,00,000."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Rs. 2,00,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Rs. 1,000 (to raise a discussion about the temporarily settled estates, specially the Sundarbans estate)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Rs. 100."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 14,12,000 under the head '5—Land Revenue—5B—Management of Governmtnt Estates' be reduced by Rs. 100 (to press the taking of immediate steps to amend section 26 of the Bengal Tenancy Act so as to allow the transfers without payment of landlords' fees in places where tenants had such right of transfer by local usuage or customs, *e.g.*, tenants under Government *khas mahal* in the district of Noakhali)."

Mr. R. MAITI: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Rs. 100 [necessity of taking immediate steps for amending section 26C of the Bengal Tenancy (Amendment) Act, IV of 1928, so as to allow the transfers without payment of landlords' fees in places where tenants had acquired such right of transfer by local usuage or custom, *e.g.*, tenants under Government *khas mahals* in the district of Midnapore]."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Rs. 100 (to raise a discussion on the realisation of rents by certificate in the *khas mahal* areas of the Tangail subdivision and the consequential hardship of the tenants)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Rs. 50 (to draw attention to the policy followed in recruiting *khas mahal tahsildars*, *khas mahal amins* and clerks in the *khas mahal* department in disregard of the claims of qualified Muslim candidates, particularly in the district of Faridpur)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Rs. 10 [to criticise the attitude of the Government towards the grievances of the tenants against (*1*) realisation of landlords' fee under sections 26D, 26E and 48H of the Bengal Tenancy Act, (*2*) exercise of the right of pre-emption under section 26F of the said Act and (*3*) the demand of the tenants in general for a thorough revision of the Act and repeal of those provisions at least in respect of Government estates]."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Re. 1 (for not taking early steps for the appointment of a sufficient number of Moslem officers as *khas mahal* officers, *khas tahsildars*, managers and assistant managers in Government estates)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government Estates' be reduced by Re. 1 (Government should not put to sale the *mahal* for arrears of revenue until the financial condition of the country has improved)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 14,12,000 under the head '5B Management of Government Estates' be reduced by Re. 1 (to draw attention to the necessity of settlement of *khas mahal* lands with the unemployed youths of *bhadraloke* families in order to solve the problem of unemployment)."

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government estates' be reduced by Re. 1 (the desirability of framing rules by the Board of Revenue with regard to the revenue assessment of the temporarily settled estates in Bengal consistent with the spirit of the well-known resolution of the Government of India of 1902)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 14,12,000 under the head '5B—Management of Government estates' be reduced by Re. 1 (to criticise the policy of Government especially the *khas mahal* officer of Noakhali for iniquitous distribution of lands in Noakhali *khas mahal* during the years 1928, 1929, 1930 and 1931)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 2,02,930, under the head '5C—Survey and Settlement—Pay of Officers' be refused."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 18,41,000 under the head '5C—Survey and Settlement' be reduced by Rs. 3,00,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 18,41,000 under the head '5C—Survey and Settlement' be reduced by Rs. 1,000 (to criticise the survey and settlement policy and the unsatisfactory manner in which the questions of title and right in holdings are being decided by the Settlement and Assistant Settlement Officers and also to draw attention of Government on the desirability of postponing all survey and settlement operations in view of serious economic distress till better times come)."

Dr. AMULYA RATAN CHOSE: "That the demand of Rs. 18,41,000 under the head '5C—Survey and Settlement' be reduced by Rs. 100 (desirability of postponing all survey and settlement operations in view of serious economic distress)."

Babu HARIBANSA ROY: "That the demand of Rs. 18,41,000 under the head '5C—Survey and Settlement' be reduced by Rs. 100 (to criticise the policy of the Government in continuing the survey and settlement operations)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 18,41,000 under the head '5C—Survey and Settlement' be reduced by Rs. 5 (to consider the necessity of reducing 40 *per cent.* revenue in the temporary estates of the amount which was settled at the time of settlement as the price of paddy and jute has fallen down by more than 60 *per cent.*)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 18,41,000 under the head '5C—Survey and Settlement' be reduced by Re. 1 (to criticise the policy of the Government in persisting in making a survey and settlement during a time of severe economic distress)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 18,41,000 under the head '5C—Survey and Settlement' be reduced by Re. 1 (to urge the postponement of all survey and settlement operations until there is an improvement in the economic situation)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 18,41,000 under the head '5C—Survey and Settlement' be reduced by Re. 1 (realisation of settlement costs)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 60,000 under the head '5D—Land records' be reduced by Re. 1 (to consider the necessity of recording less 40 *per cent.* revenue from the amount in the final publication *khatian* in the temporary estates and in the estates under tenure as the prices of paddy and jute have fallen after the final publication)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,01,000 under the head '5E—Assignments and compensations' be reduced by Rs. 20 (for remission of compensation, interest, penalty and exemption fee while realising arrear revenues of *jote mahal*, *taluk* and other *mahals*)."

Babu SATYA KINKAR SAHARA: "That the demand of Rs. 39,04,000 under the head '5A Land Revenue' be reduced by Rs. 9,00,000."

Babu AMULYADHAN RAY: "That the demand of Rs. 39,04,000 under the head '5 Land Revenue' be reduced by Rs. 1,000 (early repeal of provisions for enhancement of rent in the Bengal Tenancy Act)."

Babu AMULYADHAN RAY: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 1,000 [to raise a discussion on the provisions of the Bengal Tenancy (Amendment) Act regarding landlord's fee and pre-emption]."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 39,04,000 under the head '5 Land Revenue' be reduced by Rs. 1,000 (to raise a discussion about the stringency of the Revenue Sale Law."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 39,04,000 under the head '5 Land Revenue' be reduced by Rs. 1,000 (to urge the amendment of rules under the Bengal Tenancy Act, regarding the transmission of landlords' transfer fees)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 1,000 (to draw the attention of Government to the necessity of modification of rent laws and the appointment of a Rent Commission for the purpose)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 1,000 [to criticise the attitude of Government in respect of the provision regarding landlords' fee and pre-emption in the Bengal Tenancy (Amendment) Act resulting in the loss both to landlords and tenants by discouraging free transfer of occupancy holdings and in a substantial fall of revenue under 'Stamps and Registration]."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 39,04,000 under head '5—Land Revenue' be reduced by Rs. 1,000 (to raise a discussion about the failure of payment of revenue by the *zamindar* and rent by the *raiyats* owing to acute economic distress due to famine and flood and suggest measure to cope with the situation)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 1,000 [to draw attention to the immediate necessity of amending the provision of the Bengal Tenancy (Amendment) Act, relating to payment of landlords' fees and exercise of right of pre-emption in case of sales of occupancy holdings]."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 500 (early repeal of the enhancement provisions in the Bengal Tenancy Act)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 500 (to discuss and draw attention of the Government to the economic distress prevailing in the Tangail subdivision and the inadequacy of the measures taken by Government)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 100 [to raise a discussion regarding the effects of the Bengal Tenancy (Amendment) Act upon the economic condition of the country]."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 100 (to draw attention to the urgent necessity of amendment of the newly amended Bengal Tenancy Act relating to payment of landlords' fees and exercise of right of pre-emption)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 100 (to urge upon the Government the immediate necessity of amending the Tenancy Act so as to do away with the right of pre-emption, reduce the rate of landlord's fee, transmission fee, etc.)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 100 (to urge that immediate steps should be taken for the reduction of landlords' fee on sale of occupancy holdings, the abolition of the right of pre-emption and also for the repeal of the enhancement provisions in the Bengal Tenancy Act)."

Babu HEM CHANDRA ROY CHOUDHURI: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 100 (to raise a discussion about Government's failure to render sufficient help to the *zamindars* to cope with their financial crisis)."

Mr. R. MAITI: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 100 [to raise a discussion about the anomalous position created by the High Court decision reported in Volume 34 of the *Calcutta Weekly Notes* at page 845 regarding clause 17 of section 3 of the Bengal Tenancy (Amendment) Act, IV of 1928]."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 39,04,000 under the head '5A—Land Revenue' be reduced by Rs. 100 (to raise a discussion on the serious economic situation which has made collection of rent and payment of revenue extremely difficult and to urge on the necessity of some relief for the landholders)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 100 (to urge a thorough revision of the Bengal Tenancy Act, 1885, specially in respect of the provisions regarding the landlords' fee, landlords' right of pre-emption, enhancement of rent, division of tenancy and distribution of rent and transmission fee)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 100 (to draw attention to the enormous loss of revenue to the province owing to the operation of the Permanent Settlement and attitude of the Government towards the settlement)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue (Reserved)' be reduced by Rs. 100 (on the ground that the administration is always influenced by landlords and is always apathetic to the interests of the tenants as against those of the landlords)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 100 (to criticise the policy of the Government regarding the Permanent Settlement)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 50 [to draw attention to all round harmful effects of the provisions of the Bengal Tenancy (Amendment) Act regarding landlords' fee and pre-emption and to the necessity of an early amendment of those provisions]."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 50 (to draw attention to the urgency of early amendment of some sections of the Bengal Tenancy Act including the provisions for the payment of landlords' fee)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 50 (to raise a discussion about the heavy costs incurred in management of Government estates, survey and settlement and land records and devise means how these can be reduced)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 50 (to draw attention to the inability of the Government to give protection to the tenantry against the drastic steps that are being taken by landlords for the realisation of rents in spite of the incapacity of the tenants in general to make payments owing to acute economic distress prevailing amongst them)."

Rai Sahib AKSHOY KUMAR SEN: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Rs. 10 (to raise a discussion about the stringency of the Revenue Sale Law)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Re. 1 [to criticise the attitude of the Government for not taking early steps for reduction of landlord's fee on sale of occupancy tenancies for the abolition of the right of pre-emption, for the repeal of the present

Judicial procedure and for repeal of the enhancement provision of the Bengal Tenancy (Amendment) Act resulting in the discouragement of free transfer of occupancy holdings]."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 39,04,000 under the head '5A—Land Revenue' be reduced by Re. 1 (to raise a discussion about the stringency of the Revenue Sale Law and the necessity for undertaking legislation so as to provide for the ejectment of a tenant for his failure to pay rent to the landlord for four successive years)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Re. 1 (to raise a discussion about the claims of the depressed classes in the matter of appointment in this department)."

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: "That the demand of Rs. 39,04,000 under the head '5.—Land Revenue' be reduced by Re. 1 (to draw the attention to the serious economic condition of the agriculturists in general, which has made the collection of rents and the payment of the revenue in time extremely difficult and to request the Government to give one month's grace or to change the latest dates for the payment of revenue by an extension of one month more)."

Maulvi NURUL ABSAR CHOWDHURY: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Re. 1 [to urge that early steps be taken for the abolition of landlord's fees on sale of occupancy tenancy and the right of pre-emption; (*b*) for the repeal of enhancement provision of the Bengal Tenancy Act; (*c*) for the grant of such rights to the tenantry as may truly fulfil the intention of the Permanent Settlement]."

Mr. R. MAITI: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Re. 1 (early repeal of the enhancement provisions in the Bengal Tenancy Act)."

Mr. J. N. GUPTA: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Re. 1 [to raise a discussion on the necessity of cutting down and postponing all expenditure on subjects and in departments which are not immediately reproductive, *e.g.*, (*i*) Survey and Settlement, (*ii*) Land Acquisition, (*iii*) Partition, (*iv*) Agricultural improvement in Sundarbans]."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Re. 1 [to draw attention to the loss of revenue consequent upon the reduction in value and free transfer of occupancy holdings owing to the provisions of the Bengal Tenancy (Amendment) Act regarding '*salami*' and 'pre-emption' and the apathy of the administration towards the grievances of the *raiyats* in these respects]."

Maulvi ABDUL HAKIM: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Re. 1 (to urge the necessity of making immediate legislation for the reduction of tenants' rents on account of unusual fall in the price of all agricultural products in Bengal and also for the abolition of landlords' claim of interest or compensation in suits for arrears of rents in these days of extreme economic sufferings)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Re. 1 (to raise a discussion on the abolition of the Permanent Settlement)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 39,04,000 under the head '5—Land Revenue' be reduced by Re. 1 (to urge the necessity of taking steps for the abolition of the Permanent Settlement)."

6—Excise.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 17,39,000 be granted for expenditure under the head "6—Excise."

In placing this demand before the House, it is necessary to review generally the excise policy of the Government during the year 1931-32 and also to state how far it has been modified according to the wishes of the Council as expressed in the course of discussion on the budget grants last year according to the definite assurances given by me on the floor of this House on that occasion. It is also desirable to explain the fall in excise revenue as well as the retrenchment effected by the department as a result of the fall.

As before, the policy has been maximum revenue with minimum consumption. This has resulted in a steady reduction of the quantity of sale of excisable articles though it is difficult this year to find out how much of the reduction is due to that policy and how much to the economic causes. The decisions of the licensing boards as regards the number and location of shops in Calcutta as well as in the *mufassal* have been accepted as final almost in every case; so that opening of

new excise shops is fully controlled by these boards. One important improvement in this direction has been secured by the introduction of licensing boards in every district; formerly they existed only in four, namely, 24-Parganas, Rangpur, Dacca and Chittagong. Now we have introduced licensing boards all over the province. Public opinion is adequately represented on them through the chairmen and two members of the district boards and chairmen of the Sadar Municipalities. As regards the granting of licenses, the policy of Government has been for the last few years to give preference to educated youngmen. In the last budget session the House emphasised opinion in favour of the policy and it was pointed out that in practice the policy was not given full effect. To offer adequate facility to young educated men, it is now proposed to reduce the rate of advance fees from the licensee to fees of 15 days instead of 1½ months and the matter is under consideration of Government. Many educated men of the *bhadralog* class find it difficult to deposit 1½ months' fee in advance and consequently they are eliminated from the field. It is hoped that the reduction in rate will remove their difficulty.

The constitution of the Calcutta Licensing Board formed the subject matter of criticism by some of the hon'ble members in the last budget session. From administrative points of view, I may say, Sir, that the existing board is functioning very satisfactorily. We have three officials on it representing important public opinion in the city. But the Corporation of Calcutta, which previously used to send two representatives on the board, no longer enjoyed that privilege. It is proposed to appoint two representatives of the Corporation on the new licensing board this year. This will make its representative character complete. In this connection I may mention that we propose to give representation neither to the Temperance Federation nor to wine trade and in doing so we shall be following the policy in England and other countries.

Now I come to the very large fall in excise revenue during the last three years. The actual of 1929-30 was Rs. 2,26,00,000 of 1930-31 Rs. 1,80,00,000, the revised estimate in the current year is Rs. 1,58,00,000 and the budget estimate for the year 1932-33 is Rs. 1,68,00,000. The excise revenue showed a steady increase from 1921 to 1930. The figures for expenditure, on the other hand, were fairly steady. They varied between Rs. 13,28,000 and Rs. 15,42,000. These figures are exclusive of the price of opium. The expenditure, therefore, varied between 7·4 *per cent.* and 8·4 *per cent.*, the tendency being towards reduction. The cost of establishment in 1929-30 was Rs. 13,73,000 in 1930-31 it was Rs. 13,28,000, in 1931-32 it was Rs. 12,37,000, whereas next year it would be only Rs. 11,81,000; so that the cost of running the department has been proportionately lowered with the fall in revenue.

4 p.m.

The fall in revenue is mainly due to economic depression. But any further retrenchment at the present stage is not possible without a change of the system of administration which may or may not be conducive to the efficiency of the department and production of revenue. In this connection I would venture to remind the House that the excise is the second largest head of provincial revenue and the House should not accept in a hurry any proposal of retrenchment because it might kill the goose which laid golden eggs.

With these remarks I move my motion.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that the demand of Rs. 21,500 under the head "6A—Superintendence—Pay of Officer—Commissioner" be refused.

The object of my motion is to place before the House the policy of Government underlying the Excise Department. My personal experience in this House during the last three years is that every group of people and every member of the House who have taken part in the deliberations of this matter have emphasised that the excise policy of Government should be changed. I have carefully heard the speech just now made by the Hon'ble Minister-in-charge; he has only repeated the same policy of Government in this department, that is, the maximum of revenue and the minimum of consumption. May I ask the Hon'ble Minister—maximum revenue from whom and for whom? The real representatives of the people in this House have on many occasions stated that they do not want this policy; they want total prohibition. If the policy be the maximum of revenue and if this revenue is to be raised from the poorer people, that is, from the labouring classes generally, we are not going to accept it. In this connection I want to remind the Hon'ble Minister——

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: May I rise on a point of order? The hon'ble member's motion is that the pay of the Commissioner be refused, but he is criticising the policy of Government generally. Up to now he has not said a word about the Commissioner's pay.

Mr. PRESIDENT: I think the Hon'ble Minister is right. Yours is more or less a cut motion in which you want to discuss the Commissioner. If you have anything to say about the personal capacity of the Commissioner or the way in which he is managing the department, you are in order; but you cannot raise the question of policy.

Maulvi SYED JALALUDDIN HASHEMY: May I submit that in developing my argument I am entitled to discuss the policy of Government in this matter?

Mr. PRESIDENT: I am sorry, you are not entitled to do that. You can certainly touch on the policy of Government in making this appointment; how this appointment is made, whether any suitable person has any opportunity of getting it and of course the policy of Government comes in that way; but when you begin to criticise the whole excise policy of Government in this connection you certainly go beyond your limits.

Maulvi SYED JALALUDDIN HASHEMY: If that is your ruling, I formally move my motion, and shall discuss the policy of Government in the next motion that stands in my name.

Mr. PRESIDENT: That is a quite different matter.

The following motion was called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 21,500 under the head '6A—Superintendence—Pay of Excise Commissioner' be reduced by Re. 1 (to draw attention to the working of the Excise Commissioner)."

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: As the hon'ble member has formally moved the motion, I also formally oppose it.

The motion of Maulvi Syed Jalaluddin Hashemy was then put and lost.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 30,800 under the head "6A—Excise—Superintendence—Other gazetted officers" be reduced by Rs. 14,400.

This is a purely economic question. You will be pleased to find, Sir, that there are two Deputy Commissioners of Excise posted at the headquarters station at Calcutta, and one is not sure as to the nature of the duties that these two officers of the same cadre perform at the same station. Apart from this, there is one little fact which may clear up the situation. We are faced with a deficit budget and we find that various necessary schemes are held up. I would have understood the position if this motion of mine had aimed at throwing any permanent officer out of employment. But, Sir, you will find that about three months ago, the permanent Commissioner of Excise had

retired from service; and one of the permanent Deputy Commissioners has been promoted to the post of the Commissioner. This gave an opportunity to the Government to save a fairly large amount of money in the face of a heavy deficit. We all know that it was on the ground of financial stringency that the ordinary annual transfers of the judicial officers have been withheld for the time being. I have, therefore, tabled this motion with the hope that the Government will find their way to reduce their expenditure by agreeing to my motion and I commend it to the acceptance of the House.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 1,04,900 under the head "6A—Excise—Superintendence" be reduced by Rs. 20,000.

My object is exactly the same as that of my friend Mr. Mullick. I have worked out this figure of Rs. 20,000 by looking into the details of accounts with which, however, I do not want to worry the House. The Hon'ble Minister has claimed in his speech that everything has been done in the way of retrenchment in this department that could be done. This he establishes not by showing that all possible avenues of economy have been explored but only by showing that the proportion of expenditure on the establishment has remained the same. Although the income has gone down enormously, the expenditure has gone down only in the same proportion; but is that enough? With a budget in which we are faced with a deficit of Rs. 1,64,00,000 is it enough to say that I have left the level of my expenditure in the same proportion? The same proportion in the case of a prosperous income and a low income does not mean the same thing.

The question is: has everything been done to cut down expenditure to the minimum possible? The Hon'ble Minister does not enlighten us in the least with regard to what he has done to find out all possibilities of retrenchment. My friend Mr. Mullick has pointed out one particular matter and there is no reason why that should not be adopted. May I refer to another thing which might be tried? Some time ago the Excise Department was not placed under a separate and special staff from top to bottom, but the district officers were entrusted with the work of controlling the Excise Department in the districts. Suppose we consider whether we might not go back to that system and abolish some of the posts involving supervision. If that were done, I am sure that there would be considerable reduction in expenditure and we would have the maximum of revenue with the minimum of expenditure. I do not think that there has been any occasion for Government to balance the results achieved by the old system and the results achieved under the new system, and to find out whether, on the whole, the balance of advantage, both financial and otherwise, has been in

favour of the maintenance of a totally independent and separate cadre right through. I think that in these times of distress when our financial wisdom becomes exceptionally keen, if we look at the whole history, we will find that answers to questions like these are likely to give us clues to definite schemes of economy, and I am sure that the reduction of Rs. 20,000 which I have proposed would be the least that we could easily have on that basis. If we reduce this budget by Rs. 20,000, it will certainly give us good results. I think, looking at the details of accounts and without any knowledge of the working of the Excise Department I can find out a number of ways in which a greater reduction can be made. I was suggesting that if Government examined the matter in greater detail, they would find that a higher figure than Rs. 20,000 which I have proposed could be a possible minimum, by exercising retrenchment.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Mr. Mullick wants to do away with one of the Deputy Commissioners. I may say for the information of the House that there were three Deputy Commissioners of Excise before, and on the recommendation of the Retrenchment Committee appointed in 1922, one of them was done away with. There are two Deputy Commissioners of Excise now—Deputy Commissioner of Excise and Salt, who is in charge of preventive work and warehouses and the other is in charge of the distilleries, who is also *ex-officio* Collector of Excise, Calcutta. The Collector of Calcutta is a very hard-worked officer. One-third of the whole excise revenue comes from Calcutta and over and above his duties as officer in charge of distilleries, he is the Excise Collector of Calcutta. The other Deputy Commissioner is in charge of supervision of work in the districts. I do not think it is possible to do away with one of the two Deputy Commissioners. If that is done, then who will be in charge of supervision of district work?

The introduction of the fixed-fee system has necessitated very careful supervision; otherwise Government would lose revenue.

As regards the proposal of my esteemed friend Dr. Naresh Chandra Sen Gupta, his suggestion is that we should go back to the old system. I do not see much merit in this proposal. The fixed-fee system was adopted by Government after a long and careful consideration and the results were very satisfactory.

Dr. NARESH CHANDRA SEN GUPTA: On a point of personal explanation, Sir. I never asked the Government to revert to the old system prevailing before the fixed-fee system. I only asked Government to revert to the system under which district officers used to exercise supervision over excise matters.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I stand corrected, Sir. As I said, with the introduction of the fixed-fee system——

[At 4-15 p.m. the Council was adjourned for prayer and it reassembled at 4-30 p.m.]

4-30 p.m.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, in reply to the arguments advanced by Dr. Sen Gupta, I may say that if his proposals are accepted, we shall be reverting to the old system of having Excise Deputy Collectors instead of Excise Superintendents. But with the fixed-fee system, and the problem of illicit distillation and smuggling, which have assumed almost an international character, it is very necessary that specially trained men should be employed by the department and not ordinary Deputy Collectors. That is one of the reasons why it is not possible for us to go back to the old system. Formerly there were 13 Superintendents. Their number has now been reduced to 8 and there is some saving there. In reply to Dr. Sen Gupta's query whether Government has done everything possible to reduce the expenditure of this department, I may say that we have explored all possible avenues under the present circumstances. The pay of officers has been reduced by Rs. 50,000; travelling allowance by Rs. 22,000; rewards by Rs. 7,700; contract contingency charges by Rs. 7,800; and the price of opium having gone down, the total saving is Rs. 70,752. So I think that Government have not neglected the question of retrenchment, and though the proportion of expenditure has not gone down much below the proportion of revenue, still it is something that they have succeeded in maintaining the balance between revenue and expenditure. With these words I oppose the motions.

The motion of Mr. Mukunda Behary Mullick was then, by leave of the Council, withdrawn.

The motion of Dr. Naresh Chandra Sen Gupta was then put and lost.

Reverend B. A. NAG: I beg to move that the demand of Rs. 54,300 under the head "6A—Excise—Superintendence—Pay of officers" be reduced by Re. 1 (to raise a discussion as to whether there is not a lack, or inadequacy, or incompetency of Excise Superintendence).

In moving the motion I would like to congratulate the Government, and the Hon'ble Minister in particular, on the reduced excise income. It is a happy thing. My congratulation would have been still more cordial if I could persuade myself that this reduced income is

due to the efforts made by the Excise Commissioner or the Superintendents to translate into action the so-called excise policy of Government. So far as the Excise Department is concerned, it seems, Sir, that the policy which was enunciated about six years ago has remained a dead letter with that department as it is with the Government, for I have carefully read the administration reports of the last ten years and I have found no mention whatsoever by the Excise Commissioner anywhere to say that this diminution of consumption has been the result of carrying out the excise policy. Nor have I seen anywhere Government inquiring from the Excise Department what is being done with that policy. Is it being carried out? Is it effective? If it is not found effective, whether it should be given up. I am, however happy to think that we have about Rs. 67,00,000 less than 1929-30. This Rs. 67,00,000 will be used for the maintenance of poor women and children, because it is they who used to pay this large sum. The Excise Commissioner in his present report says that the number of people who drink in this province is very small. It does not, therefore, require much imagination to see that when the income was, as it was a year ago, Rs. 2,26,00,000, no doubt divided amongst these poor people, what havoc that income played upon the families of these poor people; and I am really happy that the income this year is Rs. 67,00,000 less. I wish and I hope the Government will yet change their excise policy and make prohibition as its final goal. If they do that, here is a chance. Let the Hon'ble Minister in charge of the Department be reconciled to this reduced income and let him see, as we would all like to see, that the income be another Rs. 67,00,00 less next year and so on until it dwindles into nothing and Bengal is freed from this income which is made at the cost of moral, physical and economical ruin of the poor people of the province.

Maulvi SYED MAJID BAKSH: Is it due to the lack of supervision?

Reverend B. A. NAG: Now, Sir, I might be told that if this income does not come from this department as the Hon'ble Minister has already been pleased to tell us—if the goose that lays the golden egg be killed—what shall we do with the administration? I am hoping, Sir, there will be such a wide awakening of national conscience that the Council will see that the administration of Bengal does not use the tainted money derived from excise. But, Sir, whatever the character of that policy may be, if the Excise Commissioner and his Superintendents gave a fair trial to that policy, we would have been in a position to say to-day whether that is an effective policy or a wrong policy. I personally consider that policy to be a very pernicious policy. I would like to be supported by the experience of the Excise Commissioner. I consider it a wrong and pernicious policy, because if by

maximum income or revenue you have minimum consumption, it means that the less number of people who consume the drink contribute to the increasing revenue, so great is the grip of this evil upon the people; to that extent I consider this a very pernicious policy. But, Sir, my complaint is that in no case do we get any trace or any reference to the working of the policy in the reports of the Excise Commissioner. I, however, very much appreciate their honesty, for whenever there has been a decrease of consumption—rightly I believe—it is attributed either to trade depression or to local poverty or something similar. Nobody says that it is due to the carrying out of the excise policy. (A VOICE: Or to the civil disobedience movement.) Did I hear somebody saying that it is due to the civil disobedience movement? In the last report of the Excise Commissioner it has been so written. I may honestly say that I feel sorry that I did not share in that propaganda against liquor which has reduced the income (cries of "hear, hear"). But apart from that they have always said that it is due to some distress, some poverty and something else, but nothing about the excise policy. Probably the Excise Commissioner as an experienced officer had discovered before I did that the Government policy meant nothing and, therefore, the less it is mentioned the better for all. The Hon'ble Minister—in fact, Minister after Minister—treated us last year to certain figures showing the decreased consumption of country liquor.

4-45 p.m.

He has shown to us that from 632,351 gallons in 1925-26 it was reduced to 575,121 gallons in 1929-30. That is surely a very good sign. But, Sir, country liquor is not the only liquor that is used in this country. May I read even for the benefit of the Hon'ble Minister that under the head of foreign potable liquor, which does not include medicated wines in the list, they sold 223,168 gallons of spirits in 1925-26; it increased in 1928-29 to 235,815 gallons; it was reduced in 1929-30 by 3,000 gallons; but between 1925-26 and 1929-30 there was an increase of about 10,000 gallons of spirits. When we come to wines again, we find that in 1925-26 there were 37,767 bulk gallons of wines, whereas in 1929-30 the figure was 40,770 bulk gallons of wine. Then again in 1925-26 there were 431,842 gallons——

Mr. PRESIDENT: I am sorry, the member seems to have forgotten the Commissioner and the Superintendents of Excise (laughter).

Reverend B. A. NAG: Sir, I am showing how these officers did not draw attention to these figures. I am simply giving you the figures which show that in 1925-26 the consumption of beer was 431,000 gallons, whereas in 1929-30 it was 567,000 gallons—a very large increase indeed. So the department, in which I include the Commissioner and all the Superintendents of Excise, have done nothing to reduce the consumption of intoxicating liquor in Bengal. They may have diminished the consumption under one item, but the increase under the other remains the same. As to how we are treated by the Excise Commissioner and the Superintendents, I shall give you an illustration. In Chittagong, in the report of the Excise Commissioner for 1929-30 he states that in the case of country liquor the increase was solely due to the opening of a few country spirit shops in the tea garden areas of the district of Chittagong where it had been found that for want of the supply of cheap liquor, the labourers illicitly manufactured liquor obtained from the Chittagong Hill Tracts. That is a very grave statement if it can be established by the Excise Commissioner, but it cannot be accepted on the *ipse dixit* of the department.

Sir, if there has been illicit manufacture, surely that would be shown by the number of prosecutions. But what do we find? We find that there has been very little of prosecutions and convictions in Chittagong for illicit manufacture or possession or sale of such liquor, as compared, for instance, with Midnapore, Bankura and Hooghly. I shall give you only one year's figure—I can multiply them. Now, in Chittagong for "manufacture"—convicted is *nil* and prosecuted *nil*: for possession of sale—prosecuted 14, convicted 11; whereas in Midnapore, for manufacture—prosecuted 135, convicted 111. In Bankura, 48 were convicted; in Hooghly 33 convicted; and yet we are told in the report that because there was illicit manufacture, they had to introduce new shops into the Chittagong Hill Tracts. This statement was too strong and very difficult indeed for the writer of the Administration Report of Bengal to swallow. I will read, Sir, to you what the report says. It is stated that the increase in Chittagong was mainly due to the development of the town and also to the opening of seven new shops for the sale of cheap weak liquor in the garden areas of the Chittagong district in order to suppress the illicit distillation of liquor by the garden coolies. Now, Sir, the Excise Commissioner reports that this illicit liquor used to come from the Chittagong Hill Tracts. The writer of the Administration Report could not swallow that. I am sorry, Sir, that Sir Lancelot Travers is not here as it is, I believe, a libel upon the tea gardens to say that the protectors of the coolies are so careless that the coolies in the regulated localities can carry on the illicit manufacture of liquor. It seems to me that this department intends to introduce anywhere and everywhere, by whatever means which seem to them to be fair, these shops in order that

the poor men may be robbed of whatever surplus money they may have owing to this temptation. In offering this motion for the acceptance of the House I would urge on the Hon'ble Minister, whom I know to be a Temperance man and who would have been the Chairman of the Temperance Federation if he were not here, will insist on this department to report every year as to the working of the Excise policy; and, secondly, I would ask that the different shops which have been opened amongst the poor people in the Chittagong tea garden areas be closed down at once, for there is no proof that they were having illicit manufacture of liquor, and there is rather reason to believe because consumption is increasing with the opening of new shops, that the department is creating a tribe of wine-bibbers amongst the coolies. With these words I commend my motion to the acceptance of the House.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I rise to support the motion of the Reverend B. A. Nag wholeheartedly. But I would only add a few words which, I think, the Reverend Nag has forgotten to mention. Sir, my point will prove the incompetency of the Excise Superintendent and I will prove it by a test of personal experience which I have got. If the Hon'ble Minister will kindly accompany me to the undesirable quarters in the north of Calcutta, I think he will find that, although liquor cannot be sold after 10 p.m., in every brothel there wine is freely sold. If he will also go with me to the southern part of Calcutta after 9 p.m. through the Wellesly Street and the various lanes and bye-lanes, he will find that in almost every Anglo-Indian's house wine is freely sold. Therefore I say that the Excise Superintendent is incompetent as these things are going on with the knowledge of the department and the department do nothing to stop these things. With these words I support the motion.

Mr. C. C. COOPER: Sir, it is with some diffidence that I rise to address the House this evening because it is the first time that I have addressed a Temperance meeting! I speak only because my information is that owing to the reduction in licenses, the increase in taxation and the decrease in Excise staff, illicit distillation is very largely on the increase in this province. It is not to be wondered at. There are people who cannot afford to pay for the good stuff that has paid duty and must, therefore, drink the bad stuff that has not paid duty. But, Sir, the people who are engaged in this illicit manufacture are making extraordinarily large profits. I find that the maximum penalties under the Bengal Excise Act, 1909, section 46, for being in possession of illicit liquor or any form of Still for making same is six months' imprisonment or a fine from Rs. 10 up to Rs. 1,000 or both together. If magistrates would enforce the maximum punishment provided by law, it would do a great deal of good and the punishment

could be not considered to be too severe in view of the very handsome profits that these people make out of this business. They are not only robbing the Government of its revenues but the stuff they produce must be extremely harmful to the people who take it. Therefore I would draw the attention of Government to this question in the hope that stronger and stricter efforts will be made to control this bad business.

5 p.m.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I do not wish to take up the time of the Council after the very forcible speech made by Mr. Nag, but I would only cut the t's and dot the i's in Mr. Nag's speech by quoting a passage from the report of the Commissioner. It it this: "The general propaganda against the use of intoxicating liquor and drugs, as well as the picketing of shops of these articles, were carried on in an intensive manner up to the end of October, since when it gradually lost in intensity until the Delhi Agreement. Within a month after the agreement, picketing of shops has practically ceased throughout the presidency. The movement consisted of propaganda work both in rural and urban areas against indulgence in liquor and drugs, as well as of actual picketing of liquor and drug shops in towns, industrial centres, as well as in many rural areas. I saw the movement in actual operation as well as its apparent effects in some of the districts, both in town and rural areas. It appeared to me that the propaganda against liquor and drugs, apart from picketing, had been very widely done in many of the districts, and found a response amongst the majority of the people both in urban and rural areas, as the number of people used to intoxicating liquor and drugs is quite small when compared to the mass of the population in both such areas. Picketing of shops was in many cases forcible in which both the Excise and Police staffs deputed to prevent forcible obstructions to consumers met with great difficulty in their work in view of the fact that the pickets had the sympathy of the majority of the local inhabitants who were habitual abstainers from these articles. There was appreciable diminution in consumption in every district due partly to the movement and partly to the economic condition of the year in the presidency. A portion of the diminution I would term genuine, and would attribute to the propaganda work that was carried on, but the result of the actual picketing of the shops in the manner carried on, was in many cases harmful."

I wish the House to note the tone of regret with which the fact was announced—the fact that the majority of the people in these areas are adverse to the use of liquor and drugs—that the propaganda against the use of liquor had the sympathy of the majority of the people, and

that the effect of it had led to such harmful consequences. That, I submit, clearly indicates the spirit in which the Excise Commissioner and his Superintendents, have gone about the business of giving effect to Government's avowed principles. I submit that if the Government really believes in these principles, if the superintending staff really believes that Government really want to carry out these principles, they would have welcomed this movement with open arms and rejoiced in the fact that propaganda had made such a valuable contribution to the cause of temperance instead of expressing their regret that this movement had come into existence at all.

Mr. SHANTI SHEKHARESWAR RAY: I know very little about the supply of liquor, illicit or legal, in Calcutta, but only yesterday I found a copy of a memorial that has been submitted to His Excellency the Governor by some sufferers in connection with certain irregularities of the Excise Department.

Mr. PRESIDENT: What is that memorial? Who are the signatories to it?

Mr. SHANTI SHEKHARESWAR RAY: In view of the allegations in the petition——

Mr. PRESIDENT: I want to know what that memorial is before I give you an opportunity to refer to it; I know nothing about it.

Mr. SHANTI SHEKHARESWAR RAY: It is a petition to His Excellency the Governor by some sufferers.

Mr. PRESIDENT: Who are the petitioners?

Mr. SHANTI SHEKHARESWAR RAY: I think the names of the signatories ought to be in the office of the Private Secretary to His Excellency the Governor. But I do not want to refer to any definite allegations in the petition.

Mr. PRESIDENT: Mr. Ray, it is not a question of time but one of principle. It does not matter whether you refer to the allegations definitely or not. Before I allow you to read out anything from the petition, you must satisfy me that it is a document signed by responsible people, and that you are prepared to assume responsibility of what have been stated in it.

Mr. SHANTI SHEKHARESWAR RAY: I shall not read out any portion of the memorial, but I am only referring——

Mr. PRESIDENT: A member is not allowed to refer to any document in regard to which he is not in a position to give me satisfaction.

Mr. SHANTI SHEKHARESWAR RAY: I submit wholeheartedly to your ruling. But whatever may be contained in that petition, I hope I shall not be out of order if I refer to certain irregularities of the department. I hope——

Mr. PRESIDENT: It is my misfortune that I have not heard anything about the department itself (laughter).

Mr. SHANTI SHEKHARESWAR RAY: It is my misfortune also that I was not allowed to proceed to develop my point. I admit to that charge, but if you will allow me to proceed, I will satisfy you that I am not doing anything against your ruling. The grievance of the people against the working of the department is that there is a good deal of corruption among the officers.

Mr. PRESIDENT: I find that it is in Mr. Nag's motion, on which you are speaking, it is proposed to raise a discussion about incompetency and inadequacy of Excise superintendence. So, you cannot go beyond that.

Mr. SHANTI SHEKHARESWAR RAY: My point is that the time has come when the Government should take serious notice of the condition of things, whether it is inadequacy, lack of supervision or corruption, and that Government should appoint a committee to go into the administration of the department.

Sir LANCELOT TRAVERS: Something has been said in this debate about the consumption of liquor among tea garden labourers. I wish to say a word or two in defence of the Excise Department in regard to this subject in my district, and in tea garden areas generally. Our experience is that the department keeps the number of shops down to the limit. The aboriginal population of the Duars and the Terai does not take much distilled spirit, but drinks *pachwai*. The consumption of a *pachwai* is traditional, and it is impossible to prevent reasonable consumption. Indeed the Council of Bihar and Orissa passed a resolution that there shall be no undue interference among the *Moondas* and other races in regard to a reasonable consumption of *pachwai*. There is little illicit distillation of spirit in the Dooars and Terai and most of it is done by Nepalis. Our experience is that the number of shops is kept down to the limit, that is to say, if these shops were further reduced, undoubtedly illicit distillation would

increase. I do not know Mr. Nag's experience, but in my own district the Excise people in dealing with this question, do it very efficiently and work in conjunction with the tea planters, as obviously it is in our interest to reduce the consumption of liquor amongst them as much as we possibly can.

[At this stage Maulvi Hassan Ali stated that he had just received a telegram, which he would like to read out.

As it was not an authenticated one, the Hon'ble the President did not permit him to read it out.]

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I am sorry that an attempt should be made, by responsible members of the Legislative Council, to throw mud on officers of the department and my hon'ble friend Mr. Shanti Shekhareswar Ray is a party to this game, but he has not tried to substantiate the charges. He made certain allegations, but there was no word from him in support of them.

Mr. SHANTI SHEKHARESWAR RAY: On a point of personal explanation, Sir. I made no allegations. I definitely stated that I was not going to——

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Of course he made certain allegations, but if he disallows them, I have no objection.

As regards the first point mentioned in the speech of the mover of the motion, Reverend Nag, that the Excise Department has failed to carry out its policy of minimum consumption, Reverend Nag has quoted certain figures, figures which it was difficult for me to check while he was quoting them. But here I hold in my hand certain figures which show conclusively that consumption has come down. I read the figure of 1930-31; country spirit, 383,037 gallons——

Reverend B. A. NAG: On a point of personal explanation, Sir. I did not refer to this year which is acknowledged to be a bad year.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I hope my friend will listen to me. If he refers to what happened about five years ago, I cannot help him; very well, I will go back to 1928. The figure for country spirits—

1928-29	...	583,804 gallons,
1929-30	...	575,000 gallons,
1930-31	...	383,000 gallons,

and up to December, 1931, it was only 243,000 gallons.

Reverend B. A. NAG: Again on a point of personal explanation. I admit that about country spirits; I gave the figures from the report on the import of foreign liquor which is on the increase.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Very likely Mr. Nag misread the figures. Here I hold in my hand figure about foreign liquor. It was 235,815 gallons in the year 1928-29. It came down to 232,000 gallons in 1929-30. It was 200,000 gallons in 1930-31, and up to December, 1931, it was only 111,000 gallons.

5-15 p.m.

What does it show? Does it not show that there has been a decrease? Then where do we differ? The total consumption is certainly coming down. Government has introduced, Sir, as I have mentioned in my opening speech, the system of licensing boards in all the *mufassal* districts and the licensing and location of new shops lie entirely in the hands of these boards in which non-official opinion is adequately represented. Non-officials like the chairmen of district boards, members of district boards and chairmen of municipalities are members of the board. If they grant licenses, certainly the department is not to be blamed for that. The location of shops and the issuing of licenses are entirely controlled by the licensing boards.

Sir, my friend Mr. Nag wants to say that this drink evil should disappear and Government should at once accept total prohibition as their goal. As I stated last year, in the present financial condition of the country, it is not possible for Government to accept total prohibition. Moreover, even if it is accepted, it would not lead to total prohibition but it would only lead to illicit distillation. Government will lose their revenue, but that will not make the people moral. Only one thing, Sir, I claim on behalf of the Excise Department and that is that the department has not yet succeeded in helping in the distillation of liquor that will excite people to the extent as Mr. Nag has been without taking any liquor.

Dr. Naresh Chandra Sen Gupta has complained that the Excise Department did not accept the help of picketers in giving effect to the policy of reducing consumption. Sir, I confess that that day is yet to come when Government will take the help of picketers to effect breach of the law. No Government will, I hope, do it at any time.

Mr. Hashemy has said that wine is sold in Anglo-Indian houses with the knowledge of officers of the department and that they do not take any step to stop it. It is a very vague allegation which I am not in a position to reply to. If there is a definite allegation, then certainly it will be the duty of the department—it will be my duty

as well as of Mr. Fawcus and of the Excise Commissioner—to inquire into it at once and to punish persons who are guilty of these offences.

Mr. Cooper has suggested that Government should take steps to put a stop to illicit distillation because illicit distillation is going up. I am much thankful to him for the suggestion and I can assure him that Government will certainly do all that they can as they are already doing to put a stop to illicit distillation.

With these few words, Sir, I beg to oppose the motion.

Rai Dr. HARIDHAN DUTT Bahadur: With your permission, Sir, may I ask the Hon'ble Minister one question? He has referred to illicit sale of liquors in Anglo-Indian houses. I have nothing to do with that question. But may I inquire from him whether he is aware that in brothels in Calcutta it is a very well known practice to sell unlicensed liquor almost all throughout the night.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Of course where there is law, there are also breaches of law and there are persons who try to overreach Government; they do so in spite of measures adopted by Government to check their activities.

The motion of Reverend B. A. Nag was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Chaudhuri, Babu Kisheri Mohan.
Choudhury, Maulvi Nural Absar.
Dutt, Rai Bahadur Dr. Haridhan.
Ghose, Dr. Amulya Ratan.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Maiti, Mr. R.
Nag, Reverend B. A.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hoseni.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Barma, Rai Sahib Panchanan.
Bartley, Mr. C.
Bazir Uddin, Khan Sahib Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Biral, Babu Sohel Chand.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. C.
Dain, Mr. G. R.
Das, Rai Bahadur Satyendra Kumar.
Eusufji, Maulvi Nur Rahman Khan.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.

Fermor, Mr. L. R.
Ganguli, Rai Bahadur Sushil Kumar.
Gibson, the Hon'ble Sir B. S.
Ghaznavi, the Hon'ble Alhadj Sir Abdelkarim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Babu Profulla Kumar.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-uz-Zaman.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Rezaur Rehman.
Leeson, Mr. G. W.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Miller, Mr. C C.
Mittra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mukherji, Rai Bahadur Satish Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Babu Suk Lai.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Ordish, Mr. J. E.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.
Rees, Mr. J.
Ray, Babu Haribansa.
Ray, Babu Satyendra Nath.
Ray, Mr. Baileswar Singh.
Roy, the Hon'ble Mr. Bijay Prasad Singh.
Saadatullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rebati Mohan.
Sen, Mr. S. R.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.
Wordsworth, Mr. W. C.

The Ayes being 18 and the Noes 71, the motion was lost.

The following motions were called but not moved:—

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 5,350 under the head '6A.—Superintendence—Travelling Allowances' be refused."

5-30 p.m.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 1,04,900 under the head "6A—Superintendence" be reduced by Re. 1 (arrangements should be made for selling opium at least up to 1 *tola* at a time).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, I beg to point out that though the use of opium has not the sanction of religion behind it and lowers one in the estimation of society, it has in many cases a great medicinal value. Formerly, five *tolas* of opium could be sold to a single person at a time but now this amount has been reduced to two annas. I have no objection if Government would altogether stop the sale of opium in the country, for, those who are addicted to this pernicious habit have to suffer a great deal of trouble and financial loss to procure it. As opium shops are at considerable distance from one another and as more than two annas of opium is not sold to a single man at a time, people are compelled to adopt various base and underhand means to procure an amount greater than what is prescribed by law and thus opium-smuggling is growing in

volume day by day. The law, as it now stands, provides that one *tola* of opium can be sold to a single man at a time, but it appears that the District Superintendents disregard this and do not allow more than two annas of opium to be sold at a time. The other day the Hon'ble Member in charge of the Revenue Department said that there is a provision that before a 'certificate' is granted a 'postcard' should be issued, but this provision is not being carried out into practice in many districts. What then is the use of the framing of laws and rules by Government? I hope, arrangements will be made so that in future it may be possible for any one to buy at least one *tola* of opium at a time."

Rai Bahadur Dr. HARIDHAN DUTT: I rise to emphatically oppose the motion. It would be a retrograde step and I do not think my friend was serious when he proposed it. To allow a person to buy one *tola* of opium which is enough to kill 4 persons if not 6 should be considered a most unreasonable proposal which a member of this Council can make.

Mr. H. S. SUHRAWARDY: Mr. President, we are sorry we are not in sympathy with this motion, because strange as it may seem, and though my assertions may be belied by the general behaviour of our members, we are not opium-eaters.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The limit of retail sale of opium is one *tola* in this presidency except in the colonisation area of Bakarganj where it is one-fourth of a *tola*. The limit was fixed so low in this area to save the young generation Mughs from acquiring the habit of opium-eating. So I cannot make out what is the justification for this motion.

The motion of Haji Badi Ahmed Chowdhury was put and lost.

The following motions were called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 39,800 under the head '6B—Excise Bureau' be refused."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 39,800 under the head '6B—Excise Bureau' be refused."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 17,100 under the head '6C—Presidency Establishment—Rewards to private persons' be refused."

Dr. AMULYA RATAN GHOSE: Sir, I beg to move that the demand of Rs. 1,83,000 under the head "6C—Presidency establishment" be reduced by Rs. 50,000.

I have deemed it expedient to move this for two very urgent reasons, first is economy of course. It goes without saying that in these days of hardship every reasonable effort must needs be made to save money and that without retarding the work of the department concerned. While I propose some reductions of grants I do so after deep deliberation. My second reason is that neither the inspection nor prevention can be called satisfactory. I shall now elucidate my points one by one. I do not propose a reduction of pay as the pockets of the staff have already been touched by a 10 *per cent.* reduction all round; what I like to propose is this that the number of inspectors may be curtailed, the sub-inspectors, servants and other heads which I am going to say in detail, the posts of inspectors may be abolished altogether, the sub-inspectors to be reduced by 3, the number of servants, if reduced proportionately, will come down to 50 or so approximately and the travelling allowance to be reduced by Rs. 5,000, as travelling in these days has become very cheap due to the bus, rickshaw, trams being available everywhere, house-rent and other allowances may be conveniently reduced by Rs. 3,500 as the house-rents have fallen down considerably in recent times, fees to pleaders can be easily reduced by Rs. 1,000 if so desired by the officers; where pet pleaders of the officers in charge of conducting cases are engaged, the fees are paid differently, but if that habit is checked, this reduction can be easily effected. Rewards—under this head a huge sum is estimated—should be considerably reduced. *Bukshis* is a thing which is only possible where there is plenty, but where there is debt, can anybody imagine expenditure for this purpose? It is grotesque and absurd, the very principle is bad. Moreover, this expenditure has been criticised by the Retrenchment Committee. Just a glance at the amount paid as rewards will startle anybody—the total sum is Rs. 29,700 where the pay of sub-inspectors totals Rs. 13,900, the sum paid to the private persons is Rs. 17,100 and who are these private persons—if an honest inquiry is made then I conjecture that more than 50 *per cent.* of these will be found related in some form or other to these very officers of the Excise Department—to tell the honest truth, the whole amount is wasted and spent for nothing; left to me I would like to refuse the whole amount, but lest my other colleagues may think it too drastic I, therefore, propose a reduction of Rs. 15,000 under this head. The opinion of the Retrenchment Committee was this: "We think that in these instances the rewards granted are excessive and that a change of system is indicated . . . ." Under the head "Other contingencies" rents, rates, etc., may be safely cut by Rs. 2,500 on the same grounds that rents have fallen down. Now I shall deal with the other reason, that is to

say, that the inspection and prevention activities are far from satisfactory. It has become common knowledge that unlicensed sale of opium, cocaine, liquor, *charas*, *ganja*, etc., has become so much increased in recent times that the department deserves severest condemnation and it is widely believed that this increase is only possible when a good number of those who are entrusted with the work have lost their efficiency and honesty and, therefore, it is high time that the machinery should be thoroughly overhauled and carefully handled. It was contended by the Hon'ble Minister when my esteemed friend, Maulvi Hashemy, spoke about the sale of illicit liquor and other drugs in some parts of Calcutta, that no definite case had been produced. It is admittedly known to everybody in Calcutta how these things are going on daily. The Hon'ble Minister will probably argue that this is due to the civil disobedience movement. But, Sir, let me take the Minister back to the non-co-operation days of 1920-21 when even in spite of so much picketing and so much agitation against excisable drugs there was not so much smuggling; while at present the rules are so very strict against picketing and against agitation carried on by the Congress and the rules have been so strictly enforced against picketing that there is practically no agitation now going on, yet it is a thing to be surprised at that this smuggling is increasing day by day. Every one who carefully considers the position that now prevails will certainly notice the abnormal increase in smuggling. I think that even in Calcutta the plethora of grog-shops is not so much as in Howrah due to the neglect in inspection of the Excise Department; they are increasing or have not decreased to that extent what they should. I may mention that within the distance of half a mile of a certain place in Howrah there are no less than 5 grog-shops and one toddy shop within the same distance. This will go to show that the number of grog-shops in Howrah is not lesser than in Calcutta. With these observations I beg to conclude that the economy cut I have proposed is not unreasonable and should be accepted by Government.

5-45 p.m.

At the same time I may mention one or two more points. In 1929-30 the following are the seizures of illicit opium by the different branches of the Government departments: 11 maunds 34 seers were seized by the Calcutta Excise Detective staff, 4 maunds 13 seers were seized by the Railway Excise Detective staff, 11 maunds 3 seers were seized by the District Excise Detective staff, 5 maunds 39 seers by the Customs Detective staff, 3 maunds by the Calcutta and Howrah Police staff. The total quantity of seizure was 36 maunds and 17 seers and out of that total something over 9 maunds was seized by departments other than the Excise Department, *viz.*, the Customs and Police Departments. Similarly, the total seizure of cocaine in 1929-30 was

6,314 ozs. 339 grs. Out of that total, 5,650 ozs. was captured by Customs officers in ports. I would ask the members to remember that out of a total of 6,314 ozs. 339 grs. seized, as much as 5,650 ozs. was seized by the Customs officers in the ports, and the balance was seized as follows: 430 grs. by the Calcutta Excise Detective staff, 169 ozs. by the District Excise staff, 3 ozs. by the Railway Excise staff and 62 ozs. by the Police. This shows that the Customs and Police Departments practically do much more of the work of inspection and prevention than the department responsible for it.

Sir, since this department is not doing so much work as the Police and Customs Departments, what is the good of maintaining such a big staff at such a huge cost, and that is the reason why I have proposed this cut which is very reasonable and I hope every member of this House will support it.

Rai Dr. HARIDHAN DUTT Bahadur: Sir, I rise to say a few words about this proposal of Dr. Ghose. When I do so, I do not fully agree with the points which he has raised. But the reason why I stand on my legs at the present moment is that I consider that the Presidency establishment portion of the Excise Department is the most important portion of it. Calcutta on account of its position certainly comes to the forefront of the whole excise administration of the province of Bengal. In the administration of the Excise Department in Calcutta we had had a good many well-known and honourable gentlemen who from time to time worked as heads of the different branches of the Excise Department in Calcutta. But at the present moment there are certain officers connected with those branches whose work has not been found to be as satisfactory as that of their predecessors. I would confine myself on the present occasion to the Collector of Excise. Sir, I do not want to go into details, but it has come to my knowledge that certain letters have been issued by the present Collector of Excise. I shall read portions from some letters which will show how erratic—how ridiculous—has been the action taken by this gentleman who is supposed to be a responsible Government officer. These letters were addressed to certain licensees of the Excise Department. One of the letters runs thus: "It has been brought to my notice that you are going to disobey a recent law relating to child marriage by performing the marriage of your sons and daughters below the prescribed age." This is considered to be a handle to bring round the licensees to the views of the Collector of Excise in a matter which does not concern his department at all. Nothing seems to be more ridiculous for a responsible person of the position of Collector of Excise, Calcutta, than this——.

Mr. PRESIDENT: Was that an official letter?

Rai Dr. HARIDHAN DUTT Bahadur: It was a letter signed by a gentleman styled as Collector of Excise.

Then, Sir, I find another letter which this very gentleman wrote to certain licensees. It runs as follows:—

"You are hereby requested to show cause within five days why the declared policy of Government, namely, 'one man one shop,' should not be applied in your case and some of the licenses granted to you withdrawn."

This letter was also issued over the signature of a gentleman styled as Collector of Excise. This letter has been addressed—I think I am not giving out any secret—to R. G. Shah of 69, Dhurrumtolla Street, to J. F. Madan of 5, Dhurrumtolla, and to others. Now, what was the object in writing this letter? I leave it to the judgment of the hon'ble members of this House.

My object in referring to these letters is to show how things have changed in the office of the Collector of Excise. I can never conceive that an officer holding such an important office as that of the Collector of Excise, Calcutta, should so far forget his position as to write such a letter as a handle to coerce the licensees.

I do not know that there is any Government rule regarding "one man one shop," neither this is the time to discuss that matter. But take the case of Messrs. G. F. Kellner & Co. They have many shops and restaurants at various railway stations and I think they cannot be restricted to one shop. I am not aware of any policy of Government of "one man one shop." Then why use this as a handle to coerce firms like J. F. Madan and others? That is my point. Sir, these two letters from which I have quoted induce me to point out to the Hon'ble Minister and to members of this House that it is time they should consider whether the Collector of Excise should not be a man who should know his position and duties and carry out his duties to the satisfaction not only of his own superiors but of the public at large.

Maulvi ABUL KASEM: Sir, I have no mind to enter into any details regarding this matter, but the remarks of my distinguished friend Rai Bahadur Dr. Haridhan Dutt makes me stand up and offer a few observations. I have nothing to say about the previous portion of his speech, but towards the conclusion he referred to a circular letter

issued by the Collector of Excise to vendors in which they were asked to show cause why the policy of Government about "one man one shop" should not be enforced and he took objection to this and in support of his contention he referred to the cases of Kellners, Spences and other vendors. But, Sir, there is a good deal of difference between the vendors of excise shops and caterers on railways. The railway authorities have to give license to one firm for a large portion of their line, because the passengers who take advantage of them move from one place to another and it will be very difficult for a vendor to carry on at a particular station if he is not allowed to go further and exchange with other shops on the line. Such is not the case with excise vendors in Calcutta. At the time when the old system of auction was abolished and the new system was introduced, the fixed fee system, I believe, though I am not sure—it was the declared policy of Government that these shops were to be held by educated men and men belonging to respectable families who could not get any other decent living for themselves, and it was also, as stated by my friend, the declared policy of Government that one man should have only one shop. But unfortunately the administration of the Excise Department has been such that individuals or firms were given several shops in Calcutta. In fact, some of them to a certain extent have the monopoly of the trade. Therefore it is a wrong policy and the object with which the auction system was abolished is not fulfilled. Instead of giving facilities to a large number of men to earn their livelihood, the department has hitherto allowed a few influential people to make a monopoly of the trade and the officer who seeks to enforce the policy of Government and to carry into effect the object with which the new system was introduced deserves credit rather than abuse.

The other point raised by my friend is that it should be beneath the dignity of a high officer like the Collector to coerce people like J. F. Madan and others in this way. I think he mentioned J. F. Madan. I forget whether he mentioned Dinshaw Sorabjee and others. I submit, Sir, it is certainly wrong to give a monopoly of these excise shops to any particular individual or firm, however great and however influential he or it may be. The fact that some influential people have so many shops shows that there was lack of supervision on the part of previous officers and the present Collector who has taken up the matter deserves credit and support from Government and all independent members of this House.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I shall say only two words in regard to this proposed cut. It will be noticed that the Hon'ble Minister's claim that he has made an all-round reduction of expenditure cannot hold good with regard to this head, because last year the actuals were Rs. 1,96,000 against the budget provision made

this year of Rs. 1,85,000—a very slight reduction which compared with the actuals of 1930-31, *viz.*, Rs. 1,83,000, shows an actual increase. The slight reduction noticed this year as compared with last year includes the 10 *per cent.* cut in salaries. So practically there has been no reduction under this head.

6 p.m.

In the second place, I wish to point out that the Hon'ble Minister, when he claims that there has been a proportionate reduction in the expenditure, is really building castles in the air. That is based upon the assumption that he is going to get an income of Rs. 1·68 lakhs from Excise which is Rs. 10,00,000 more than the revised estimates of last year. Well, does he really think that he is going to get this increased revenue? To all appearances it seems that the income is going to be about Rs. 10,00,000 less. But to build upon that and to claim that the reduction has been proportionate is simply deluding oneself. If there is one head in which the estimates cannot be relied on, I think it is Excise.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, I do not wish to speak on the larger policy whether in the settlement of Excise shops we should go back to the old system which prevailed before 1920 or we should continue the present fixed-fee system which is at present in existence. My intention in getting up to speak is to refer to certain literature on the subject of "one man one shop" about which some observations have been made in this House. So far back as January, 1920, Mr. S. C. Mukherji, who was the Commissioner of Excise and Salt at that time, sent a circular letter No. 6437, dated the 17th January, 1920, to the Collector of Burdwan, and to other Collectors in which this principle was very forcibly put. I would like to read the extract from this letter: "One man one shop" is the principle to be aimed at, but in order to avoid hardship just in the beginning of the system a vendor may, if you think fit, be allowed to hold more than one shop, provided he can personally supervise them. That was in the year 1920. This was followed by another order in 1921. I am quoting from the Government order on the subject in which it is stated that the arrangement is an ideal one if the vendor be himself present in the shop. Even in recent times, when speaking on the subject, Kumar Shib Shekhareswar Ray, as Minister in charge of the Excise Department, also defended the system when certain charges were made by this Council as to why this principle was not adhered to. You will find it in the Council proceedings for the 18th March, 1930, pages 93-94. He also said that these recommendations had been gradually given effect to and the principle of "one man one shop" had been brought about practically throughout

the province, except only in the case of some foreign liquor firms in Calcutta. Sir, more recently the present Hon'ble Minister also laid down the objects of the system, one of which is to raise the standard by selecting deserving educated *bhadralok* youngmen of the middle class, and giving them shops so that they might earn a living; keeping all these principles in view in settling these shops, the policy of the Excise Department has been or at least ought to have been that no firm should have a monopoly of these shops. Not only we find that certain firms have a large number of very lucrative Excise shops but that these firms are also not of youngmen of the *bhadralok* class of Bengal, but they are men brought out from outside who have nothing to do with Bengal and yet they are patronised in this city even from before the time when the present Collector came to office. As has been forcibly indicated by Maulvi Abul Kasem, the only fault of the present Collector is that when he finds that irregularities of this character are being done in the office and by officers of Government he tries remedy then. It is a misfortune that in doing so he touched some influential vendors. I regret very much to say that these influential vendors have found very able supporters even in this House.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, I take strong exception to the Khan Bahadur's remarks. I have absolutely no concern with anybody. I do not know what justification the Khan Bahadur has to connect me with these vendors.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I think, Sir, that from the mere fact that these letters have come into the possession of a member of this House probably other members may presume from this that in any case he is in sympathy with the grievances which these firms consider to be grievances. As I was just now saying it is not our duty to defend anybody and we have not come here to defend Government officers, but I think it is only right that when an officer is really trying to do his duty against odds, and in the discharge of his duties he is personally criticised by members who ought to know better, it is the duty of every member of this House to defend such an officer.

Mr. NARENDRA KUMAR BASU: Sir, I think that a good deal of extraneous matters have been introduced into this debate and that my learned friend, Maulvi Abul Kasem, has succeeded in drawing—I will say not merely a red herring but—a deep scarlet and "odoriferous" herring across the debate. When Khan Bahadur Abdul Momin reads from a type-written brief in support of his client, I mean his friend, and says that it is not his business to support any Government official, I suppose he wants us to take him at his word.

Sir, I take it that what my esteemed friend, Rai Bahadur Dr. Dutt, meant to say was that it is not for us at the present moment to discuss or to debate the question whether the policy of "one man one shop" like one man one vote, is good, bad or indifferent. What my esteemed friend wanted the House to know was that there was an Excise Collector who had taken it for granted that that was the policy of Government and who was trying to impose that upon the Excise vendors. So far as I could make out, what Dr. Dutt wanted to point out to the House and to the Hon'ble Minister was that there was an Excise officer who was presuming to dictate the alleged policy of Government to the licensees. If that is the correct reading from the brief supplied to Khan Bahadur Abdul Momin that may be an explanation though not an excuse; but that is only one part of what has been said against the Collector of Excise. His defenders have not said yet one word about this estimable gentleman being a profound believer in the Sarda Act. What in the name of Heaven has the Sarda Act got to do with the licensed vendors is something which passes my understanding, and I am still waiting for one word of reply either from the speakers in these benches or their prompters from the official benches or from the Hon'ble Minister as to why the Collector of Excise should be a champion of the Sarda Act.

Sir LANCELOT TRAVERS: Sir, I should like to say a few words on this controversial subject of "one man one shop." As a general policy of Government and in order to do away with unemployment to some extent, we think it is a good thing to get young *bhadralok* men and place them in charge of shops where they can earn a decent living. We think, however, that such a policy should be introduced very gradually so that no injustice will be done to those who have for many years been in possession of licenses. The reason why I say this is that it is obvious to me that those who have been in possession of these licenses have been granted them because of their efficiency and of their trustworthiness by Government in the past. That being the case, it seems to me to be unjust to such firms if they are to be told now suddenly that their licenses would be split up amongst several people. Now that the subject has been brought forward in this manner, I hope the Hon'ble Minister will look into the matter and we shall be content to leave it in his hands.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-25 p.m.]

Mr. H. S. SUHRAWARDY: Sir, I would have been in sympathy with this amendment had it not been for the fact that Rai Bahadur Dr. Haridhan Dutt has complicated the question by attacking the Collector of Excise, in whom he has found a veritable machinery of

oppression and of other evil things, and has been supported in his attack by no less a person than Mr. Narendra Kumar Basu. The Rai Bahadur pretends to get very angry if reference is made to him that he champions the cause of the licensees, although he is in possession of letters that have been alleged to have been written to them, and reads them out in the open Council. Letters——

Mr. PRESIDENT: Mr. Suhrawardy, it does not look nice that you should attack individual members.

Mr. H. S. SUHRAWARDY: Sir, I respectfully agree with your observations and that would be the usual course, were it not that in the course of the Rai Bahadur's speech he has permitted himself to go so far that after reading the private letters that have been written by the Collector to the vendors he has asked your attention and your opinion on the motives with which these letters were written.

The insinuations which were made by the Rai Bahadur were gross and scandalous and I do not——

Mr. NARENDRA KUMAR BASU: Is it permissible for a member to characterise the remarks of another member as scandalous?

Mr. PRESIDENT: It is better that he should not.

Mr. H. S. SUHRAWARDY: I accept your ruling. But I do not think that the Rai Bahadur's position as a member of the Council, by virtue of which position he can safely criticise any Government servant, gives him so much liberty as to challenge the honesty or propriety of the conduct of a Government servant who is unable to defend himself in this House——

Mr. PRESIDENT: A member is entitled to attack a Government servant in his official capacity, and I cannot prevent him from doing so.

Mr. H. S. SUHRAWARDY: When the Rai Bahadur says in spite of being in possession of, and reading out letters that have not been addressed to him that he has not been approached by any party, or does not speak on behalf of any party, we must accept it. But my protest is not so much against his championing the cause of the vendors as against his unjustifiable and insidious attack on a Government servant who is unable to defend himself in this House. My objection is that whereas every single member of the House ought to have stood up to protest against such conduct, Mr. Basu indulges in the cheap remark that persons who do this are natural defenders

of Government servants. I do not think that either he or the Rai Bahadur comes off well, and the House will judge as to whether they agree with the remarks of these two members of the Council, or whether by refusing this amendment would support the manner in which the Collector of Excise is performing his duties. When the Collector of Excise was placed in charge of these onerous duties, he found that the system prevailing in Calcutta was very lax, that in spite of various policies that had been laid down by successive Ministers, either he was so overwhelmed by the fear of the politicians of this House or was unable to go against the vested interests of the vendors, with the result——

Mr. NARENDRA KUMAR BASU: On a point of order, Sir, I do not know if you agree with Mr. Suhrawardy that the present officers of the Government cannot be attacked in this House. Is it your ruling that the past officers can be attacked?

Mr. PRESIDENT: I did not agree with him.

Mr. H. S. SUHRAWARDY: I do not challenge for a moment the motives or the honesty of the past officers. As I was saying, the officers could not deal with the situation and were unable to manage to go against the vested interests arraigned against him. When this officer came there, he found that no promises of the Government had been fulfilled. His action might have been drastic; his action was such that vendors who had been able to mould the department in adopting a more easy-going and benevolent attitude towards them, found that they must enlist the support of politicians to ventilate their grievances in this House. Coming from the *mufassal* he does not realise how powerful the vendors of Calcutta are and how easily they can approach Government and blacken the record of any officer they desire to attack. Indeed, it is possible that after the manner in which reflections have been cast upon him, he may alter his opinion and consider that it is better that the Excise Department should be run badly, but according to the wishes of the politicians, than overhaul the department and try to fulfil the pledges which have been made by Government. I know for myself, because I have a large number of clients amongst the vendors, that since this officer has come, they have had to act very carefully; many of them who were rather lax in the supervision of their shops, have had to be very careful as to how they were fulfilling their obligations, and sticking to the rules laid down, and obviously there is a considerable amount of agitation amongst them. But I submit that in the interests of Government and in the interests of temperance, and really if the Government are desirous of fulfilling the pledges they have made, the best way they

can do is to support the present Collector of Excise. I am sorry that I am unable to support the amendment which has been moved, for otherwise, it is a reasonable one.

Mr. SHANTI SHEKHARESWAR RAY: I would not have intervened in this debate but for the remarks of Mr. Suhrawardy. He says that we in this Council should not bring into question the actions of Government servants who are not present to defend themselves. But at the same time he does not feel any hesitation in criticising and attacking a brother member of this Council in his absence.

Mr. H. S. SUHRAWARDY: He was present.

Mr. SHANTI SHEKHARESWAR RAY: He was not present. It is a standard of conduct which is unparalleled in my experience in this Council. Sir, I want to draw the attention of the Government, and particularly of the Hon'ble Minister, to the conduct of the Collector of Excise in issuing that letter about the Sarda Act. By issuing that letter, I submit, he has rendered himself unfit to hold a responsible position in the Government. A man who cannot be so sure how to act in such matters, is unworthy of holding this responsible position in the Government. If he thinks that he can browbeat and force the men under his clutches by these despicable measures to go against their religion, against their convictions, I think the proper punishment for that officer would be that he should be sent to a distance sphere of work, where he cannot exercise such unwarranted interference. Are Government officers to be permitted to use their influence in this way in social matters? If he is a social reformer, he can certainly ventilate his views as a private individual by setting an example himself if he so likes, but why should he interfere with private individuals in these matters?

Mr. J. N. GUPTA: I think the position taken up by my friend Mr. Suhrawardy is wholly unwarranted. I do not think he can justify for a moment his attitude that the members of this House are not to criticise the actions of Government servants, simply because they are not here to defend themselves——

Mr. H. S. SUHRAWARDY: On a point of order, Sir, and personal explanation. I never suggested for a moment that the members cannot criticise the actions of Government servants, whether they are members of this House or not. I said they cannot cast insinuations against their policy——

Rai Bahadur Dr. HARIDHAN DUTT: You did not say that.

Mr. PRESIDENT: I said in very clear terms that members are entitled to attack a Government servant in his official capacity. I think that will satisfy the members.

Mr. J. N. GUPTA: Yes.

Mr. NARENDRA KUMAR BASU: On a point of order. May I have your ruling that in voting for this motion, it should be considered purely as an economic cut?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I am sorry that this motion has given rise to so much heat in this House.

I shall first of all take up the arguments advanced by Dr. Ghose in support of his motion. The first point mentioned by him was that inspection was unsatisfactory. This is a very sweeping remark which is one of the many he has made, and I do not think any useful purpose will be served by my attempting to reply to them. If there were specific allegations, I would have dealt with them, but he made none. His proposal is that the inspectors should be abolished, and the sub-inspectors should be reduced to 3. We have 16 inspectors and 11 sub-inspectors for Calcutta. As I said, one-third of the revenue from Excise comes from Calcutta, and I do not think that the department can be run by accepting this proposal of Dr. Ghose.

6-45 p.m.

His next point is that the travelling allowance should be reduced because the cost of travelling has become cheaper. In calculating travelling allowance, we took into consideration this fact and the amount was reduced. The total amount reduced was Rs. 22,650 and a substantial portion of it was for Calcutta.

As regards the rewards, Dr. Ghose maintained that there should be no *bukshis* when there is no money. But this reward is not a real *bukshis* as he seems to think. It is really an investment. We want to encourage people to give us information. We want to encourage people to do their duty properly and it means very large savings and large income to Government. The value of the excisable articles that are smuggled and detected is considerable and the amount of rewards that is provided for in the budget is very small in comparison with that.

Dr. Ghose has based his argument mainly on the report of the Retrenchment Committee. But he forgot that much water had flown down the Hooghly since the Retrenchment Committee had reported. The Retrenchment Committee stated that the figure was very high. But what was the amount provided in the budget of 1921-22? It was Rs. 1,75,000, and the Retrenchment Committee recommended that

Government ought to be able to save under this head if they kept for rewards a sum not more than one lakh of rupees. What is the amount provided for in next year's budget? It is only Rs. 69,000. I think, Sir, it is, within one lakh of rupees and we have followed strictly the recommendations of the Retrenchment Committee.

Another point is that there is smuggling going on and smuggling should be stopped. Government has already introduced the Opium Bill in the House which has been sent out on circulation for opinion. That Bill, if passed into an Act, will become a very useful weapon in the hands of Government in checking smuggling which has assumed almost an international character.

Sir, as regards the charges levelled against a particular officer of the Excise Department, this Government has no information and as a matter of fact we heard nothing till the matter was mentioned on the floor of the House by some of the members. As regards the letter written to a vendor, I understand from inquiry just now that the Collector only forwarded a letter which was written to him by a member of this House complaining that the vendor in question was going to violate the Sarda Act. The officer did nothing more. Whether he was justified in doing so or not——

Rai Dr. HARIDHAN DUTT Bahadur: The letter in question had a signature and under it the designation "the Collector of Excise, Calcutta."

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Whatever the case might be, Sir, I shall look into the matter, but just now I am not in a position to give my opinion one way or the other. The question of "one man one shop"— a policy which the Excise Collector of Calcutta is alleged to have been trying to enforce—requires examination. Government has issued no definite circular on the point; and in spite of the one referred to by my esteemed friend, Khan Bahadur Muhammad Abdul Momin, I must say that there is no such circular. Why this notice has been issued to some excise vendors should be properly inquired into and I propose to do so, and what is the Government policy in the matter will also be thoroughly examined and settled.

With these few words, Sir, I beg to oppose the motion.

The motion of Dr. Amulya Ratan Ghose was then, by leave of the Council, withdrawn.

[As Maulvi Tamizuddin Khan rose to move his motion No. 117, the time-limit for the discussion of the demand under the head "6—Excise" was reached.]

The motion that a sum of Rs. 17,39,000 be granted for expenditure under the head "6—Excise" was then put and agreed to.

The following motions under the head "6—Excise" were not called owing to the expiry of the time-limit:—

Maulvi A. K. FAZL-UL HUQ, Maulvi TAMIZUDDIN KHAN, Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,85,000 under the head '6C.—Presidency Establishment' be reduced by Rs. 1,000 (to raise a discussion about the policy of granting licenses in Calcutta)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,85,000 under the head '6C.—Presidency Establishment—Inspection and Prevention' be reduced by Rs. 1,000 (to raise a discussion about the policy of vending excise shops)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 1,26,000 under the head '6D.—Excise—District Executive Establishment—Sadar Establishment—Pay of Superintendents' be reduced by Rs. 63,000."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,87,200 under the head '6D.—District Executive Establishment —Pay of Officers' be reduced by Rs. 50,000."

Kazi EMDADUL HOQUE: "That the demand of Rs. 1,87,200 under the head '6D.—District Executive Establishment—Pay of Officers' be reduced by Re. 1 (to discuss the policy pursued by the District Executive Officers in increasing the demand of excise shops)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 5,70,500 under the head '6D.—District Executive Establishment—Inspection and Prevention' be reduced by Rs. 1,70,500."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 5,70,500 under the head '6D.—Excise—District Executive Establishment—Inspection and Prevention' be reduced by Rs. 1,08,000."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 5,70,500 under the head '6D.—District Executive Establishment—Inspection and Prevention' be reduced by Rs. 1,000 (to draw attention to the inefficiency of the inspecting work of the staff)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 7,30,000 under the head '6D.—District Executive Establishment' be reduced by Rs. 2,20,000."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 7,30,000 under the head '6D.—District Executive Establishment' be reduced by Rs. 1,000 (to raise a discussion about the policy in granting licenses in the mufassal)."

Babu AMULYADHAN RAY: "That the demand of Rs. 7,30,000 under the head '6D.—Excise District Executive Establishment' be reduced by Rs. 1,000 (to raise a discussion about the demands of the backward classes in matter of appointment of qualified candidates belonging to the same in this establishment)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 7,30,000 under the head '6D.—District Executive Establishment" be reduced by Re. 1 (paucity of opium shops in the Chittagong area)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 7,30,000 under the head '6D.—Excise—District Executive Establishment' be reduced by Re. 1 (to draw the attention of the Government to the fact that the claims of the candidates of the backward classes for appointment as officers or as clerks have been overlooked even after the assurance given last year in this behalf)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,05,800 under the head '6E—Distilleries' be refused."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 2,05,800 under the head '6E—Distilleries' be reduced by Rs. 25,000."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 2,05,800 under the head "6E—Distilleries be reduced by Rs. 100 (policy of Government in manufacturing liquors for sale)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 15,00,000."

Mr. P. BANERJI: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 5,00,000."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 5,00,000."

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 4,00,000."

Babu AMULYADHAN RAY: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 1,000 (to raise a discussion about forming a committee of officials and non-officials to inquire into the grievances of the backward classes in the department)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 1,000 (to criticise the excise policy of Government)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 1,000 (to raise a discussion about the deliberate negligence of the department to carry out the excise policy)."

Mr. P. BANERJI: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 101 (necessity for immediate adoption of total prohibition)."

Mr. P. BANERJI: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 100 (to raise a discussion on the anti-national excise policy of the Government)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 100 (to criticise the so-called excise policy of Government and its failure to carry out the policy in practice)."

Mr. R. MAITI: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 100 (to criticise the excise policy of the Government with special reference to vending excise shops to women in Bengal)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 100 (to discuss the policy in general)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 100 (to criticise the excise policy of the Government and to condemn the increase in the excise revenue)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 100 (to raise a discussion on the policy of settling more than one excise shop with more than one person in the same family)."

Rai SATYENDRA KUMAR DAS Bahadur: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 100 (necessity for gradual prohibition of consumption of liquors and other intoxicants)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 100 (to raise a discussion on the present excise policy of the Government and the desirability of effecting retrenchment in the Excise Department)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 100 (to criticise the excise policy of Government and to urge the necessity of reducing the number of excise shops, particularly in mill areas, and of remitting excise duty on all drugs and excisable articles if required for medical purposes)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 55 (to raise a discussion about the abnormal costs incurred annually under this head without corresponding gain and also to find out how the department can be carried on in a more improved line with less costs)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 50 (to draw attention to the fact that smuggling of cocaine, unlicensed distillery of country liquors have not been checked on the other hand an increase is noticed everywhere)."

Rai Dr. HARIDHAN DUTT Bahadur: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Rs. 10 (to raise a discussion on the procedure of excise and custom relating to export of indigenous spirituous preparation to outside provinces)."

Rai Dr. HARIDHAN DUTT Bahadur: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (to raise a discussion about duty of spirit used for industrial purposes and research work)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (adoption of the policy of gradual prohibition)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (desirability of increasing the number of Moslems in the department)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (to raise a discussion on the desirability of appointment of qualified members of the depressed classes in proportion to their numerical strength)."

Mr. J. N. GUPTA: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (to raise a discussion on the necessity in view of the heavy fall in excise revenue for retrenchment by a return as far as possible to the system of the administration of the department in force before 1915, and by utilizing the services of Collectors and subordinate officers for supervision and inspection work, to reduce the staff of Superintendents and Inspectors, the Excise Intelligence Bureau and by other means as the reduction of the provision for rewards)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (to urge upon the attention of Government the desirability of laying down a policy for reduction of consumption of liquors and other intoxicants)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (to express disapproval of the Government's excise policy)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (to urge the adoption of a policy of prohibition within a fixed number of years)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (to criticise the excise policy)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 17,39,000 under the head '6—Excise' be reduced by Re. 1 (failure to carry out the excise policy)."

7—Stamps.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 5,34,000 be granted for expenditure under the head "7—Stamps."

The details of this demand will be found on pages 59-60 of the Budget Estimate and on page 36 of the Financial Statement. I do not propose to go into these details, but it will be seen that I have put the revised estimate of the current year at Rs. 4,39,000 as against the original budget estimate of Rs. 6,02,000 and propose to provide Rs. 5,34,000 for next year.

Mr. PRESIDENT: You need not refer to the motions now. They may not be moved.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 36,100 under the head "7A—Stamps—Non-judicial—Superintendence" be reduced by Rs. 16,000.

Sir, the reasons for my moving this motion is to suggest reduction on economic grounds. The reason will be quite clear if we look at the income and expenditure of the past year and the expenditure of this year. We find that the income from "Stamps" in 1928-29 was Rs. 1,31,00,000 and now in 1931-32 it is only Rs. 75,60,000 and the expectation of next year has been put at Rs. 84,00,000. If we investigate the causes for this optimism with regard to stamps we find this.

The Hon'ble Mr. A. MARR: I am sorry I do not quite follow Dr. Sen Gupta.

Dr. NARESH CHANDRA SEN GUPTA: There has been a reduction in the last year's revised estimate of Rs. 75,00,000 in place of Rs. 1,31,00,000 in 1928-29.

The Hon'ble Mr. A. MARR: I would ask Dr. Sen Gupta to give me the page to which he has been referring.

Dr. NARESH CHANDRA SEN GUPTA: Page 14, Non-judicial Stamps.

The Hon'ble Mr. A. MARR: The revised estimate is Rs. 72,00,000.

Dr. NARESH CHANDRA SEN GUPTA: As against that, the budget estimate for next year is Rs. 84,00,000 under sale of stamps and the expectation upon which this estimate is based is the improvement in trade conditions. But the Hon'ble Mr. Marr himself in his

budget speech made it quite clear that few signs are now visible of any improvement in trade conditions. Looking at the economic condition of the country at the present moment, the indications are just the opposite and that the trade conditions are getting worse. If that is so, our expectation for the realisation from the sale of general stamps would not even come up to Rs. 75,00,000 as in the revised estimate of the current year. I should say that the estimate ought to have been made on the basis of Rs. 75,00,000 which is the last year's revised figure and not more.

Now looking at the expenditure, we find that in 1928-29, the expenditure on superintendence was Rs. 47,000 as against the income of Rs. 1,31,00,000. Then in the year 1930-31, the expenditure was Rs. 42,000 and in 1931-32 it was Rs. 38,000 and in 1932-33, the budget estimate is the same, *viz*, Rs. 38,000. I submit, Sir, that the reduction in expenditure ought to bear some comparison with the reduction in income. When people are purchasing less and less stamps, the establishment ought to be curtailed proportionately; and if you reduce the expenditure by Rs. 16,000, *i.e.*, what I have suggested in my motion, and fix the expenditure at Rs. 30,000, it will approximately bear the same proportion to the income as the expenditure of 1928-29 bore to the income of that year. Well, I do not think that this is altogether impossible.

7 p.m.

On the contrary, considering that there would be occasion for handling a fewer number of non-judicial stamps, the expenditure on the staff and on every other thing can be easily cut down and provision should be made accordingly with that anticipation. If afterwards it is found that Government has to deal with an increased demand for non-judicial stamps, there is nothing to prevent them from coming forward for a greater demand necessary for handling a larger quantity of stamps.

The following motion was called but not moved:—

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 36,100 under the head '7A—Stamps—Non-judicial—Superintendence' be reduced by Rs. 101."

The Hon'ble Mr. A. MARR: I am afraid Dr. Sen Gupta's arguments are not correct. If he looks at page 36 of the red book, he will find that in the charges under the head "Stamps—Superintendence" we have budgeted for a small saving. I ask him also to look to the "charges for the sale of stamps," which is the main item under the expenditure head and also to the head "Value of stamps supplied from the Central Stamps Stores." He quoted certain figures as regards

receipts under the head "General stamps," but I may point out that in the year 1928-29, under this head the actuals were Rs. 1,31,20,000; in 1931-32, the revised estimate has been put at Rs. 75,50,000; as against that we have budgeted for Rs. 84,00,000 next year.

As against the figure of Rs. 47,000 under the head "Superintendence," in the year 1928-29, this year we have the reduced figure of Rs. 38,000, that is to say, there is a saving of Rs. 9,000 on this item, which cannot be regarded as a slight reduction.

I may further point out that there is a reduction in the big item, viz., "Charges for the sale of stamps (discount)" from Rs. 3,17,000 to Rs. 1,67,000, which is a very large reduction. If fewer stamps are sold, less discount will have to be paid to the vendors and a smaller sum will be due to the Central Stamps Stores for the stamps supplied by them: if fewer stamps are sold, this charge will go down.

These are the two main items of expenditure under the head "Stamps." Our reason for raising the estimate under "Receipts" from Rs. 75,50,000 to Rs. 84,00,000 is that we hope that things may improve. If we do not get that increase and if the depression still continues and stamps are not sold, our charges under discount for the sale of stamps will correspondingly decrease.

Under "Superintendence" the difference is only Rs. 9,000, whereas the receipts have gone down by very nearly half. Therefore I strongly oppose Dr. Sen Gupta's motion.

The motion of Dr. Naresh Chandra Sen Gupta was then put and lost.

The following motions were called but not moved:—

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 2,53,600 under the head '7—Stamps—B—Judicial' be reduced by Rs. 100 (to raise a discussion on judicial stamps)."

Rai Sahib AKSHOY KUMAR SEN: "That the demand of Rs. 2,53,600 under the head '7—Stamps—B—Judicial Stamps' be reduced by Rs. 10 (to raise a discussion about the exorbitant value of judicial stamps)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 2,53,600 under the head '7B—Judicial Stamps' be reduced by Re. 1 (to raise a discussion about the evil effects of the introduction of judicial stamps in the country)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 5,34,000 under the head '7—Stamps' be reduced by Rs. 1,000 (excessive value of stamps both judicial and non-judicial and also to criticise the policy and expenditure involved)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 5,34,000 under the head '7—Stamps' be reduced by Rs. 500 [fall of stamp revenues consequent on the passing of the Bengal Tenancy (Amendment) Act]."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 5,34,000 under the head '7—Stamps' be reduced by Rs. 100 (to raise a discussion on the responsibility of Government in helping a fall of revenue on this head)."

Rai SATYENDRA KUMAR DAS Bahadur, Mr. ANANDA MOHAN PODDAR, Maulvi NUR RAHMAN KHAN EUSUFJI, Maulvi ABDUL HAMID SHAH, Mr. SARAT CHANDRA BAL, Maulvi MUHAMMAD FAZLULLAH and Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 5,34,000 under the head '7—Stamps' be reduced by Rs. 100 (to protest against exorbitant rate of stamp duties)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 5,34,000 under the head '7—Stamps' be reduced by Re. 1 (to discuss the general policy)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 5,34,000 under the head '7—Stamps' be reduced by Re. 1 (to raise a discussion about the promise made by Government to apply the excess revenue raised by heavily enhancing the rate of stamp duties to the nation-building departments)."

The motion that a sum of Rs. 5,34,000 be granted for expenditure under the head "7—Stamps" was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 16th March, 1932, at the Council House, Calcutta.

[illegible] of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 16th March, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 104 nominated and elected members.

Starred Questions

(to which oral answers were given).

Principal, Midnapore College.

*134. **Mr. R. MAITI:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that Babu Thakapada Biswas has been allowed to officiate in the post of the Principal of the Midnapore College for a very long time without making any permanent arrangement for the post? If so, why?

(b) Is the Hon'ble Minister aware that there are professors in the said college who are senior to, have better educational qualifications than, and are in receipt of more pay than, Babu Thakapada Biswas?

(c) If the answer to (b) is in the affirmative, what are the reasons for not filling up the post by one of such professors?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (a) Yes. It is understood that the present arrangements have been made by the governing body of the college as a temporary measure of economy owing to the financial difficulties of the college.

(b) No. The appointment of a principal of an aided college is primarily a matter for the governing body of the college and Government do not interfere in such a matter unless an obviously unsuitable man is selected for the post.

(c) Does not arise.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to state how long this particular gentleman, Babu Thakapada Biswas, has been acting as Principal?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Since September, 1930.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to state whether Aswini Babu, the senior Professor of English, is senior to, and getting more pay than, Babu Thakapada Biswas?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: That is entirely a matter for the Governing Body of the College and I have no information on the subject.

Assistant Inspectress of Schools, Calcutta.

***135. Maulvi ABDUS SAMAD:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) whether it is a fact that the Assistant Inspectress of Schools, Calcutta, attended the All-India Women's Conference held in Madras in December, 1931;

(*ii*) whether the previous permission of the Local Government in that connection was taken by her in compliance with the provisions of the Government Servants' Conduct Rules;

(*iii*) whether the matter was reported to Government by the Inspectress of Schools, Presidency and Burdwan Divisions?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) Yes.

(*ii*) No. No permission was necessary as the Conference was held during the Christmas holidays and was not political.

(*iii*) No.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state if there is any difference between attending meetings during holidays and during non-holidays?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Certainly; if an officer is absent from his duties on a working day he has got to take permission.

Babu JITENDRALAL BANNERJEE: Is it the character of the meeting or the fact that it is held during holidays that makes any difference in regard to the position of a Government servant?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: As long as it is of a non-political character it makes no difference.

Maulvi SYED MAJID BAKSH: Is it a fact that Government servants are not Government servants during holidays?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I submit, Sir, it requires no answer.

Détenus at Hijli.

*136. **Maulvi HASSAN ALI:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the détenus at Hijli have been on hunger-strike since Saturday, the 13th February, last?

(*b*) If the answer to (*a*) is in the affirmative,—

(*i*) what are the reasons for it; and

(*ii*) what steps have been taken by the Government to remove the grievances, if any, of the détenus?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) The answer is in the negative.

(*b*) (*i*) and (*ii*) Do not arise.

Licentiate Medical Faculty study course.

*137. **Dr. NARESH CHANDRA SEN GUPTA:** (*a*) Will the Hon'ble Member in charge of the Medical Department be pleased to state whether it is a fact that at a joint meeting of the Council of Medical Registration and of the State Medical Faculty of Bengal it was decided to raise the course of study for the Licentiate Medical Faculty, Bengal, from four to five years?

(*b*) Is it a fact that at a recent meeting of the Council of Medical Registration, the recommendation of the Joint Committee for the raising of the course of the L. M. F. from four to five years was adopted?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, the Government propose to take in the matter?

MEMBER in charge of MEDICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) A recommendation in this sense was adopted by a majority of votes of a Joint Committee of these two bodies.

(*b*) Yes.

(*c*) The matter will receive consideration.

Nabadwip Municipality.

***138. Dr. NARESH CHANDRA SEN GUPTA:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that the Nabadwip Municipality has been the scene of bitter party squabbles interfering with the work of the municipality?

(*b*) Is the Hon'ble Minister aware that at the last elections the vast majority of the successful candidates belonged to one party?

(*c*) Is it a fact that the Collector has recommended for nomination a list of persons all of whom belonged to the party unsuccessful at the elections?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate accepting those nominations?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) There appears to have been party feeling on this municipal board.

(*b*) Government have no information as to bearing of the election results on the strength of parties on the municipal board.

(*c*) and (*d*) Government are not prepared to make any statement about the proposals of the Magistrate for nominations, which are confidential. The proposals will be considered on their merits.

DEMANDS FOR GRANTS.

8—Forest, 8A—Forest—Capital outlay charged to revenue, and 52A—Forest—Capital outlay not charged to revenue.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 8,96,000 be granted for expenditure under the head "8—Forest" and "8A—Forest—Capital outlay charged to revenue" and "52A—Forest—Capital outlay not charged to revenue."

Mr. President—Sir, in order to simplify the position, I may be permitted to make some observations on the general position as regards this Department. Hon'ble members of this House will notice at the outset that the demand for the year 1932-33 is less than that of 1931-32 by Rs. 1,39,000 and is less than that of 1930-31 by Rs. 2,48,000. The reason for this decrease is that although this is usually a remunerative and revenue-producing Department we have been compelled to control expenditure, firstly owing to the general financial situation of the province and secondly in particular owing to the fall in the demands for forest produce.

Now, Sir, as stated by me in moving the demands for grants last year, the Forest Department is in normal times very remunerative. There has been a steady increase in the net revenue of the Department and after deducting the recurring and capital expenditure, there was in the past approximately a clear profit of Rs. 12,00,000 per annum. During 1928-29, the net revenue exceeded Rs. 14,00,000. In 1929-30, the surplus was over Rs. 13,85,000, *i.e.*, it was slightly less than that of 1928-29. In 1930-31, owing to the economic distress and worldwide trade depression, there was a heavy fall in the surplus of the Department, and it amounted to Rs. 7,19,000 only. It was anticipated last year that trade and financial condition of the Presidency would improve this year and that the working of the Department would result in a net revenue of about Rs. 10,00,000; but as has been explained by the Hon'ble Mr. Marr, our anticipations have not been fulfilled and the year's expected surplus will not be realised. On the assumption that trade conditions will somewhat improve, we may expect a surplus of about Rs. 9,00,000 next year. As is well known to the members of this House and as pointed out in the Hon'ble Mr. Marr's budget speech, for several reasons which need not be recapitulated here, the resources of this province are limited and we are handicapped in various ways. Government therefore naturally desire an expansion of revenue of this Department and in order to secure that object, the development of the Department is absolutely necessary.

As I informed the House last year Government have sanctioned the introduction of a complete change in the management of the Sunderbans forests by establishing ranges, in place of the existing revenue stations.

Sir, last year I explained the great importance of the Sunderbans Range Scheme and the reason why Government found it absolutely necessary to introduce the scheme in order to avoid serious loss in future and to maintain the supplies of timber and forest produce from this area.

This important scheme, although sanctioned last year, had to be postponed partially to meet the financial situation which called for

utmost economy. Now, Sir, it has been possible to provide funds for this scheme in the current year's budget. The scheme before it was sanctioned by Government was pruned of all non-essentials. There are two circles in the Sunderbans, the Eastern and the Western. The former alone requires to be divided into at least four ranges, if effective protection is to be secured. These ranges again should be subdivided into beats. Although this is the most valuable of all forests, it is the worst sufferer in respect of staff.

Government were fully convinced about the extreme necessity of the scheme and also that the sooner effect is given to the scheme the better it would be both for Government and the public at large, and the people of Calcutta and its neighbourhood, in particular. Now, to give effect to this scheme, five steel motor launches, including one which is required for the replacement of the existing motor boat *Sylvia*, which has become unserviceable, are being constructed by a well-known firm of ship-builders in Calcutta under the supervision of the Principal Engineer and Ship-Surveyor at a cost of Rs. 14,300 each. The charge will be met almost entirely from the total provision made in the current year's budget for the non-recurring expenditure involved in the scheme. Under the terms of the arrangement with the firm, two of the launches, after approval by the Principal Engineer and Ship-Surveyor, are to be delivered this year and the remaining three are to be delivered early next year. In such a vast area of waterways, the provision of these launches was essential, if the area was to be managed at all. There was no doubt about the absolute necessity of the launches in the Sunderbans Division in order to prevent the unauthorised cutting of trees, etc. No other officers under Government live in such out-of-the-way places and labour under so much hardship as the Forest Department officers in the Sunderbans. Launches are also necessary to keep them in communication and bring supplies.

Sir, I may also mention here that the revision of the working plans of the Sunderbans Forest Division which was emphasised by the Inspector-General of Forests has been completed. The Imperial Silviculturist was deputed by the Inspector-General towards the end of January last in connection with the revision of this working plan and his suggestions for alteration are being included in the plan.

Another important scheme relating to the Southern Circle is the realignment of the boundaries between the *khas mahal* and reserved forests in the Chittagong and Cox's Bazar Divisions. In accordance with the principle adopted by Government in 1925 that the areas in *khas mahal* forests, which are steep ridges covered with dense jungle and which cannot be brought under the plough, should be transferred to the Forest Department and made reserve forest and that forests,

which are suitable for permanent cultivation, should be kept under the Controller and that the *khas mahal* forests should be gazetted as protected forests after six months. 31,928 acres have been demarcated or reserved and 74,134 acres still remain to be done. This scheme when completed will bring in additional revenue to Government.

3-15 p.m.

The demand under the head "8A—Forest—Capital outlay charged to revenue" includes the provision of funds for improvements to communications and buildings.

I may be permitted to mention, Sir, that improvements to communications and buildings are essentially necessary for the proper working of the Department and, according to the plans drawn up, a sum of Rs. 80,000 to Rs. 90,000 was actually required next year, but it has been reduced to Rs. 50,000 only. So far as buildings are concerned, it is not possible to dispense altogether with the construction of buildings, especially in unhealthy localities where the staff will not be able to work unless properly housed.

It is very unfortunate that we have had to reduce expenditure and almost stop development and necessary expansion to a great extent, due to abnormal conditions. Experience shows that in normal times whatever is put into the forest produces very satisfactory increase in revenue. There is every likelihood of further increase in revenue if better supervision of the working of the Department can be obtained, and to secure this object the Department have been pressing for the last few years for strengthening the staff of the Department—subordinate, executive and ministerial. Although Government desire to see the Department to be more remunerative, in view of the present economic position of the Presidency, the proposal has not been yet accepted by them.

I may be permitted to mention here that in addition to the fact that the estimates of the two Forest Circles have been exhibited separately under each of the major heads ensuring better control over the expenditure between the two circles, instructions have been issued to the two Conservators for better co-ordination between them in the account matters. It is a matter of satisfaction that the Public Accounts Committee on the appropriation accounts for 1929-30 have favourably commented on the working of the Department during that year.

I may also observe, Sir, that Government have already recognised the principle of effecting saving by resorting to improved system of

working in the Department; and as a result, a saw mill has been established at Siliguri. It has been working at a profit since it was started in 1926 and it yielded a net profit of Rs. 15,000 during the year 1929-30 and about Rs. 6,500 in 1930-31.

In pursuance of this principle, Government have administratively approved the proposal for the installation of an electric overhead travelling crane in the Siliguri Log Depôt for the economical and quick handling of logs. At present the handling of logs at the Depôt is carried on with two skidders. Although they have saved much manhandling, they are expensive and prevent the stocking of logs according to class. Moreover, they are required for work in the forest. With the overhead travelling crane, it will be possible to store and stock, according to class, 70,000 c. ft. and at the same time log tracks will be loaded quickly and easily within the full limits allowed by the railway. The cost of installation is estimated at Rs. 25,750 and will effect a saving of Rs. 8,945 annually in the working of the Department. Although provision was made for this scheme in the current year's budget, the money had to be surrendered and the scheme postponed owing to the prevailing financial crisis. Provision has been made for this scheme in the next year's budget. Another scheme of importance, which has been approved by Government in conformity with the above principle, is the mechanical extraction of timber from the Kasalong reserve forest in the Chittagong Hill Tracts. The upper stories of timber in the Kasalong reserve forest in the Chittagong Hill Tracts are definitely overmature and the waste of old timber has been great. In the absence of roads for bringing down the timber, traders being very few and labour being very scarce and of poor quality, only a few of the better trees close to the banks of rivers have been removed. It is now proposed to purchase a tractor with necessary equipment for carrying on mechanical logging. It is reported that the caterpillar tractor has been a success in Assam. The scheme is expected to be remunerative, as a recurring annual expenditure of Rs. 21,200 is likely to bring in a revenue of Rs. 50,000. Members of this House are aware that in the beginning of 1931, a large number of Chakmas cut *jhums* illicitly in the Kasalong reserve forest in the Chittagong Hill Tracts. But for the prompt action which was taken by Government, the situation would have become very serious. The installation of the tractor, besides being remunerative to Government, will provide work to the unemployed and will thus minimise the recurrence of the incident and consequential loss of Government revenue. It may be remembered, Sir, that when these hill people actually invaded our forests, it was a moment of anxious concern as to what proper course Government should take, and in the absence of any arrangement of that kind, visitations similar to this may take place. The idea of employing a machinery of this kind is not only to improve our forest, but also to safeguard against a recurrence of

this kind which might lead to serious loss of life. I think that the members of this House will appreciate that Government have done in this instance something which will not only be of great service in the way of effecting economy and proving remunerative but at the same time will provide work for the hill people who are otherwise helpless. With these words I commend my motion.

The following motion was called but not moved:—

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,68,900 under the head '8A—Conservancy, maintenance and regeneration' be reduced by Rs. 100 (to raise a discussion on the policy of conservancy, maintenance and regeneration)."

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,60,800 under the head "8B—Forest—Establishment" be reduced by Rs. 500 (to draw attention to the necessity for abolishing duplication of Conservators).

Sir, I must make it clear at the very outset that mine is an economic cut. The House might remember that I moved a similar cut last year and the Hon'ble Member in charge of the Department pointed out that in order to have proper check over the working of the forests, it was decided in 1928-29 to appoint two Conservators because the revenue from forests was a growing one. My friend, Sir Lancelot Travers, also opposed the motion on the ground that from the time spent on tours by the two Conservators during the year it was apparent that they had enough to work and that they were not idling away their time. Sir, as I began by saying, I do not at the present moment suggest that there may not be work for two Conservators or even more Conservators in Bengal, but the time has certainly come when we ought to cut our coat according to our cloth. As for the expanding revenue, the Hon'ble Member has himself stated that the net revenue from forests in 1928-29, when there was this duplication of Conservators, was Rs. 15,40,000; in 1929-30, Rs. 15,04,000; in 1930-31 it came down to Rs. 7,74,000; then this time in 1931-32 the revised figure is Rs. 81,000, not even a lakh. In the budget that has been presented for 1932-33 you will see that it is anticipated that the net revenue will be Rs. 1,87,000, out of which, it is said, Rs. 1,75,000 is anticipated on account of the revival of trade. Well, Sir, I must say that that anticipation is not based on any solid facts. Therefore, the net revenue from forests for the next year will be Rs. 12,000 only. I submit that is not this the time when all expenditure ought to be curtailed and retrenched, as quickly and as much as possible? Sir, yesterday, when supporting a cut, I was met with an observation from Mr. Suhrawardy that my remarks were cheap. Sir, I may tell you that I do not belong to a knightly family, either by marriage or by birth. And I am not a

person who has changed his patronymic into a pseudo-aristocratic one and I am not an associate of princes, not even of a prince of smugglers. My remarks are therefore bound to be cheap. But I do plead for cheapness, and I do say that this is the time when it is certainly necessary to have as much retrenchment as possible. With these words I beg to commend my motion to the acceptance of the House.

The Hon'ble Mr. A. MARR: Sir, I should like to take this early opportunity of announcing to the members of this House that the present Government are in favour of appointing a Retrenchment Committee as early as possible, but they feel that the final decision on this matter should be left until the arrival of the new Governor. I think that this House may take it as pretty certain that a Committee of Retrenchment will be appointed and that all these matters will be placed before such a Committee. As Mr. Basu has rightly said, his motion is one for economy, and I may add that in this appendix there are other similar motions. I would suggest to Mr. Basu and the movers of similar amendments that they should withdraw their amendments on the assurance that all these matters will be placed before a Committee of Retrenchment. (Hear, hear.)

Mr. NARENDRA KUMAR BASU: On this assurance I would withdraw my amendment.

The motion of Mr. Narendra Kumar Basu was then, by leave of the Council, withdrawn.

The following motion was called but not moved:—

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 8,37,000 under the head '8—Forest' be reduced by Re. 1 (to raise a discussion on the necessity of retrenchment by re-amalgamating the Northern and Southern Circles under one Conservator)."

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 1,60,800 under the head "8B—Establishments" be reduced by Re. 1 (to draw attention to the necessity of a training college in Bengal).

Sir, the object of my tabling this motion is to draw attention to the necessity of a training college in Bengal. This is a necessity which has been felt for a very long time and if such a college is opened in Bengal, Bengali students will find a good opening and there will be plenty of students, and they will find this a good line to adopt.

3-30 p.m.

There is one institution of that nature at Dehra Dun, but that is too far away from Bengal and therefore it is not convenient for the

students of Bengal to go such a long way and get their admission there. Therefore, I would draw the attention of Government to the necessity of the establishment of such a college in Bengal for the training of Bengali students in forestry.

Babu SATYENDRA NATH ROY: I beg to move that the demand of Rs. 8,37,000 under the head "8—Forests" be reduced by Rs. 1,000 (to draw attention to the necessity of establishing a college of forestry in Bengal).

Sir, Bengal is naturally a very fortunate province. It has large forests, abundant jute crop and rice crop. Although she has got her vast forests, still it is known that the students of Bengal have to run up to Dehra Dun which is the only college in India for learning forestry. It is a pity that the attention of Government has not been drawn to this absence for a college for the sons of Bengal. I hope the present Government will lay down at least a sympathetic policy by which a college might be established in Bengal, so that her sons will not have to run up to Dehra Dun. This will help to give much work to our educated young men and it will also benefit the economic resources of the province. Our Sunderbuns will be utilised by our own sons who will learn something in the nature of forestry and also our jungles will be utilised, and it will not be necessary to bring all our building materials from other provinces. I hope the Hon'ble Member in charge will do something by which in the near future a college may be started in this province.

The following motion was called but not moved:—

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 8,37,000 under the head '8—Forests' be reduced by Rs. 100 (necessity of a forest training school in Bengal)."

MUNINDRA DEB RAI MAHASAI: Mr. President—Sir, I beg to support the motion just moved by my friend Babu Satyendra Nath Roy.

Though not particularly friendly to the denizens of the forest, their habitations had a charm for me in my younger days when I went out on my hunting excursions very often with my friend Major Weigall of the Royal Artillery. In later years, I had the opportunity of watching with keen interest the forest wealth not only of the Himalayan regions but also of various parts of the Indian peninsula and abroad. The forests of Ceylon, rich with valuable trees like the halmila, had peculiar attraction for me. There the Government takes the fullest advantage of its forest wealth by the construction of hundreds of miles of excellent motor roads through the impenetrable forests where the light of the midday tropical sun failed to dispel the gloom underneath

which appeared more like twilight. Most of our Indian forests were not always easy of access. If we want to take full advantage of our forests we should have fine roads right across them as they have one from Habrane to Polnnarowa. Sir, I have seen the College of Forestry in Dehra Dun. I wish to have another such college in Bengal to afford the Bengali an opportunity of having proper and up-to-date training in forestry to enable them to exploit the forest wealth of Bengal to its fullest advantage. Sir, without proper facilities for education in forestry, how would it be possible to accelerate the Indianisation of the Forest Service on the lines of the Lee Commission Report published in 1924, which came to the conclusion that "taking all the factors before us into consideration, we recommend that the recruitment should henceforward be in the ratio of 75 *per cent.* Indians and 25 *per cent.* Europeans in those provinces in which the Forest Service is reserved." Sir, a college of forestry in Bengal will open up a new avenue of employment for the youths of this province. Sir, I verily believe that the dawn of a new era is not far off. Autonomous Bengal was well within our grasp. Is it not incumbent on us to try to open out new vistas of employment to enable the future youngmen of Bengal to take their proper place in the new walks of life?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I have listened with much sympathy and interest to the speeches of the members who have spoken, but I may tell them at once that nobody would be more pleased than myself to see if it would be possible to establish a forest college in Bengal. We have just been told by Mr. Basu that we should cut our coat according to our cloth. Therefore, it is really only a question of finance. I may further remind the House that in 1930, Maulvi Tamizuddin Khan moved a similar motion, and he also pleaded very eloquently for the establishment of a forest college in Bengal. On that occasion, too, I said that I should personally welcome such an idea, and I should be very happy if it were possible to establish such a college in Bengal for the training of Bengali youngmen, so that they will not have to run all the way to Dehra Dun. But, as I have just explained, in the present financial position, it is impossible to extend what facilities there are for the training of Bengali youths technically in forest work. There is already a forest school at Kurseong which is intended primarily for the instruction in practical work of the sub-executive establishment of Bengal below the grade of Forest Rangers, and of men sent for instruction by Indian States under the control of their Governments. If, after meeting their requirements, seats are available, private students may be admitted at the discretion of the Conservator of Forests.

Candidates from the provinces selected for the Rangers' course are at present trained at the Dehra Dun institute. Since 1926, a course of instruction in forestry up to the Indian Forest Service standard has

been started at the Dehra Dun College and recruits selected in India for the Indian Forest Service are trained there instead of being sent to Europe for training. Only recently, Government considered very carefully the question of the training of Rangers for Bengal locally but as usual, owing to financial stringency, effect has not been given to it. The recent decision of Bihar and Orissa not to send their candidates to Bengal for training makes the chances of starting a college more remote. As the number of recruits is very small, it is not practicable to establish a separate college for the province unless other provinces co-operate.

This gives the present position as regards the question of establishing a training college in Bengal. In addition to that, I desire to stress the fact that I have every sympathy with the idea of establishing a college. The only thing that stands in the way is unfortunately the question of finance. If things improve in the near future, we can anticipate better days. I can assure the members of this House that as far as I am concerned, every effort will be made in the way of establishing a college in Bengal so that the sons of Bengal may be trained in the province. I think after this assurance, the member would be well advised to withdraw his motion.

The motions of Dr. Amulya Ratan Ghose and Babu Satyendra Nath Roy were then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 4,14,300 under the heads '8B and 8D—Forest—Establishment' be reduced by Rs. 1,00,000."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 4,14,300 under the heads '8B and 8D—Forest—Establishment' be reduced by Rs. 100 (to criticise the policy followed in recruitment and promotion of the staff)."

Rai SATYENDRA KUMAR DAS Bahadur: I beg to move that the demand of Rs. 4,14,300 under the heads "8B and 8D—Forest" be reduced by Rs. 100 (to draw attention of the Government as to excess expenditure in maintaining establishments).

The expenditure in maintaining the establishment of forest is not only excessive beyond all proportions, but the excess, I may be pardoned to say, is simply ridiculous.

In the year 1928-29, the total expenditure on this head was Rs 15,78,000, yielding an income of Rs. 31 lakhs. The income was almost double the expenditure. Good.

But, Sir, I respectfully invite your attention to the expenditure and income of the present year's budget. The expenditure is estimated to be Rs. 16,13,000, that is, Rs. 35,000 more than the expenditure of 1928-29. In the face of a huge deficit budget, there is an increment of Rs. 35,000. Is this justifiable?

Now, Sir, let me come to the figure of income. Income is estimated to be only Rs. 18 lakhs. The income has come down from Rs. 31 lakhs to Rs. 18 lakhs. That is, Rs. 13 lakhs have vanished.

Now in the Forest Department, we are to get Rs. 18 lakhs as income; for which we are to spend Rs. 16,13,000, Rs. 1,87,000 is the net income. It is simply ridiculous. I hope no comment is necessary. If this estimate is passed, it would do insult to the Hon'ble Member. There is no sense in it.

The other day, I appealed for a reduction of 20 to 30 *per cent.* in the Department of Forests. But, Sir, to-day I feel no hesitation in claiming 50 *per cent.* reduction in this Department.

I again repeat what I said on the 29th February, that the Assam Government has got more area for forests, classified and non-classified together, manages with less expenditure. What is possible for Assam, will surely be possible for Bengal. Assam manages with one circle, but Bengal has manufactured two circles, North and South. Well, Sir, these two circles can be amalgamated with much profit—profit with respect to both savings and efficiency.

3-45 p.m.

The following motions were called but not moved:—

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 8,37,000 under the head '8—Forest' be reduced by Rs. 60 (to raise a discussion about the large amount of money which is being spent every year in this department and how a greater portion can be saved by resorting to an improved system)."

Mr. J. N. GUPTA: "That the demand of Rs. 8,96,000 under the heads '8 and 8A—Forests (Reserved)' be reduced by Re. 1 (to raise a discussion on the necessity of retrenchment in the cost of the administration of the Department in view of the heavy fall in the revenue by reducing the number of circles and charges and postponing and reducing cost on all works which are not immediately remunerative. Improvement to communications and buildings)."

Maulvi NURAL ABSAR CHOUDHURY: "That the demand of Rs. 4,14,300 under the heads '8B and 8D—Forest—Establishment' be reduced by Re. 1 (to urge upon the Government to make one Conservator for Bengal)."

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Sir, the Rai Bahadur has been pleased to observe that expenditure has gone up. I can assure him that nobody has taken a greater care or made more careful scrutiny into this question than ourselves. I can assure him also that the question of reduction of expenditure must depend on general condition of things. Now there are always what is known as overhead expenditure, what is known as permanent staff, what is known as arrangement for running a Department. In the case of the Forest Department, the matter stands thus: When sales go up, our expenditure is less. When sales go down, as has been the case last year, the year before and this year, our expenditure goes up. So the whole thing depends on the question as to how much of the forest produce has been sold. The reason why expenditure must remain at a certain figure——

[Here the time-limit for the discussion of the demand under the heads "8, 8A and 52A—Forest" was reached and the Hon'ble Member resumed his seat.]

The motion of Rai Satyendra Kumar Das Bahadur was then put and lost.

The motion that a sum of Rs. 8,96,000 be granted for expenditure under the head "8—Forest" and "8A—Forest—Capital outlay charged to revenue" and "52A—Forest—Capital outlay not charged to revenue" was then put and agreed to.

The following motions under the heads "8—Forest, 8A—Forest—Capital outlay charged to revenue, and 52A—Forest—Capital outlay not charged to revenue" were not called owing to the expiry of the time-limit:—

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 4,14,300 under the heads '8B and 8D—Establishment' be reduced by Re. 1 (paucity of employment of Muhammadan servants in this department)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 6,980 under the head '8C—Forest (Reserved)—Conservancy, maintenance and regeneration—Timber and other produce removed from the forest by Government Agency' be reduced by Re. 1 (decrease of forest tax from annas 8 to annas 4 of Muli bamboos per hundred in Chittagong, Cox's Bazar and Chittagong Hill Tracts owing to the reduction of the price of bamboos)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 4,22,600 under the heads '8A and 8C—Forest—Conservancy, maintenance and regeneration' be reduced by Rs. 500 (general policy and the restriction of hunting in the Sunderbans)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 4,22,600 under the heads '8A and 8C—Forest—Conservancy, maintenance and regeneration' be reduced by Re. 1 (to draw attention to the inadequacy of the expenditure on the organisation, improvement and extension of forests)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 8,37,000 under the head '8—Forest' be reduced by Rs. 100 (to raise a discussion on the reorganisation of the Forest Service and the working of the Department)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 8,37,000 under the head '8—Forest' be reduced by Rs. 100 (effect of retention of the Attia Forest by the Government)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 8,37,000 under the head '8—Forest' be reduced by Re. 1 (to urge upon the Government the necessity of appointing a fair number of Mussalmans in the Forest Service)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 8,37,000 under the head '8—Forests' be reduced by Re. 1 (to protest against the manner of giving appointments in the Forest Departments)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 35,000 under the head '8A—Forest—Capital outlay charged to Revenue—Improvements to communications and buildings' be reduced by Rs. 17,500."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 7,840 under the head '52A—Forest—Capital outlay not charged to Revenue—Organisation, improvement and extension of forests' be reduced by Re. 1 (to express disapproval of the Government policy in respect of developing the resources of forests)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 8,96,000 under the heads '8 and 8A—Forests' be reduced by Re. 1 (to draw attention to the grievances of the depressed classes in the matter of appointment on population basis)."

9—Registration.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 18,94,000 be granted for expenditure under the head "9A—Registration."

Sir, the total grant for the year 1932-33 has been reduced by Rs. 2,11,000 as compared with the estimate of 1931-32. A total saving of Rs. 1,84,000 out of the current year's grant has already been surrendered.

Every possible endeavour is being made to effect economy in all directions and every item of expenditure has been reduced by curtailing tours of inspection and transfer of officers. Ordinary temporary establishment and landlords' fee establishment is being employed more sparingly and much of the work which under ordinary circumstances would have been done by extra hands employed, is being done by the permanent establishment. Similarly, strict watch is being kept on the contingent expenditure of all kinds. Purchase and repairs of furniture and book-binding have been practically stopped.

I, therefore, commend this motion for the acceptance of the House.

The following motion was called but not moved:—

Mr. J. N. GUPTA: "That the demand of Rs. 13,900 under the head '9A—Superintendence—Pay of Inspector-General' be reduced by Re. 1 (to raise a discussion on the desirability of amalgamating the post of Inspector-General of Registration with the Commissioner of Excise)."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 6,000 under the head "9A—Superintendence—Travelling allowance" be reduced by Rs. 1,000.

I beg to move also that the demand of Rs. 72,000 under the head "9A—Superintendence" be reduced by Rs. 12,000.

Mr. President—Sir, I am sorry I was misunderstood in certain quarters when I moved a similar motion last year. My object was not to single out a particular Department of Government like that of Registration to associate it with corruption and bribery, but as this Department was not free from those evils I took the earliest opportunity to point it out in this particular motion as I was of opinion that if the work of superintendence had been properly done the growth of these evils might at least have been checked to a certain extent. But that has not been done. The Hon'ble Minister might

repeat what he said on the last occasion that "After all, the people who give the gratification are as much to blame as the people who take it." I am sorry to differ with him on this point. He should have remembered that it was not a pleasant thing to part with money unless forced by circumstances to do so. It was an open secret that these unscrupulous people were well versed in the art of screwing money out of the public who are generally forced to pay to save themselves from trouble, harassment and undue delay. The law of bribery cuts both ways—the man who gives and the man who takes bribes are both held equally guilty in the eye of law. This is the only reason why the people do not come forward to court trouble for themselves. Sir, the Hon'ble Minister admitted on the last occasion that "this is a complaint which is levelled not only against the Registration Department but has been directed against all Government Departments, local bodies and wherever we go, we hear this complaint." Yes, that is the general complaint. But was that a sufficient excuse for a responsible Minister not to take a serious view of the matter. May I ask, Sir, was this a matter which should be lightly passed over on the popular plea that when Ram, Sham and Jadu were doing such things there was nothing particularly wrong in Hari to do so and to thrust all the blame on the public who were rather forced to throw away their good money over a bad job?

MR. PRESIDENT: You had better not refer to it.

MUNINDRA DEB RAI MAHASAI: Sir, the exactions of the *amlas* of Government had no limits. The evil of screwing out as much as you can was rampant everywhere. In this connection the dictum of the Prime Minister of England that "bribery will never cease until adequate pay is given" has been put forward to indirectly justify the evil. But how will the adequacy be ascertained? That is the crux of the problem. Practical experience showed that more the pay, the greater would be the demand. By this I do not mean to say that all *amlas* of Government were corrupt. Certainly there were honourable exceptions, but there was the black sheep which spoilt the whole flock. Make serious attempt to weed them out. If the Hon'ble Minister would succeed in improving the morale of the men under his charge and purify his Department by the eradication of the evil of corruption, it would be all the more creditable for him. Pray do not misunderstand me. My idea was that it is high time for the Government to take up the matter seriously. Of course, it was its duty to see that the pay given to the men should be enough for their support. Then follow the principle of "set a thief to catch a thief" and mete out condign punishment to the offenders. These would no doubt help to eradicate the evil, at least to a certain extent. With these words, I commend my motions to the acceptance of the House.

The Hon'ble Mr. KHWAJA HAZIMUDDIN: Sir, I complained last year about the unreasonableness of this motion, and I am afraid I have got to make a similar complaint this year also. I could quite understand the intention of the hon'ble member if he had proposed a one rupee cut in order to raise a discussion on the question of corruption in the Registration Department. But when out of a total grant of Rs. 6,000 it is proposed to cut Rs. 1,000, I cannot quite follow it. It is a substantial cut and therefore the intention of suggesting such a cut in the travelling allowance is a reduction of expenditure. Now I would like to point out to this House how unreasonable my hon'ble friend is. His proposal for curtailing the travelling allowance of the Inspectors is solely for the purpose of checking corruption in the Registration Department, if any; but these Inspectors are for the purpose of stopping these corruptions, and, therefore, the two things do not go together. He is contradicting himself by proposing the cut and making a complaint about corruption.

Sir, I strongly protest against his remarks that last year I suggested that because there is corruption in other Departments, therefore, it is not a serious question if there is corruption in the Registration Department. If I remember aright, I made my policy quite clear to the House and asked for the support of the members on the policy I had adopted, namely, whenever a case is proved against an officer or even when we are convinced that there is sufficient evidence that an officer is guilty, most drastic steps will be taken and no recommendation whatsoever from any person, however high, will help to mitigate the punishment that will be given to the officer concerned. Therefore, it is obvious that I do not take a very light view of this question, and I am quite determined to eradicate this evil as far as possible.

I would request my hon'ble friend to consider whether he is justified in proposing a cut under travelling allowance for this purpose. In 1922-23, the travelling allowance was Rs. 10,000, and it has now been reduced to Rs. 6,000. Already we have retrenched Rs. 4,000 under this head. Any further reduction will seriously impair the inspection work. I would therefore request my friend the Rai Mahasai to withdraw his amendment, for, if it is pressed and carried, it will be practically going against what he actually wants to be done.

With these few words I request my hon'ble friend to withdraw his motions.

The motions of Munindra Deb Rai Mahasai were then, by leave of the Council, withdrawn.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 72,000 under the head "9A—Superintendence" be reduced by

Rs. 5 (to discuss the question that owing to the increase of the rate of registration many people are keeping papers unregistered resulting in a decrease of income in the Registration Department).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, I want to say that the income of this Department has suffered to a considerable extent in consequence of registration fees having been doubled; many deeds and documents are now kept unregistered, as formerly the registration fee for a value of Rs. 1,000 was Rs. 2 only, but it has at present been increased to Rs. 4. The registration fee for other deeds has also been doubled. The fee for taking out a copy from the Registration Department which was annas 8 has also been doubled. Moreover, the stamp charge has been increased one and a half times. The result of all this has been that wherever possible people do not register documents and many cases are being settled by a deed of compromise. Pro-notes are accepted on thumb impressions, and in cases where the debtor does not enjoy the confidence of the creditor, the debtor's relations who have to stand surety for him are required to place their thumb impressions on the pro-note. A large number of deeds of conditional mortgage and other documents including *kabuliyats* and *pattas* are not registered. People do not apply for certified copies in cases where draft copies of the papers in question may be obtained from the papers already exhibited before a court. They also obtain draft copies from Registration offices by underhand means, without payment of the usual fees. The present fall in the income of the Registration Department has occurred in spite of the fact that salaries and commissions of the Registrars, Sub-Registrars, clerks, copyists, etc., of the Registration Department have not been increased. Another factor which has greatly contributed in bringing about this fall is that the amendment of the Bengal Tenancy Act has led to an increase of the dues of the *zamindars*.

Under these circumstances, I appeal to the Hon'ble Minister-in-charge to reduce the rate of registration fees."

4 p.m.

The following motion was called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 8,05,000 under the head '9B—Registration—Pay of officers' be reduced by Re. 1 (to criticise the action of the Sub-Registrars for absenting themselves without leave from headquarters)."

Maulvi ABDUL HAKIM: Sir, I beg to move that the demand of Rs. 18,22,000 under the head "9B—District charges" be reduced by

Re. 1 (to urge the necessity for immediate reduction of registration fee, searching fee and fee for taking copies in the Registration offices).

Every one of this House knows how exorbitantly the registration fees and some other fees of the like nature have been increased by the new registration rules some years past. The excessive landlords' fee and the transmission fee, introduced by the new Bengal Tenancy Act, have already closed the doors of primary income of registration offices in Bengal; over and above that the excessive registration fee and the searching fee and the fee for taking copy of documents have created additional obstacles which have practically closed the doors of the Registration offices against any access by the millions of poor tenants of the soil. Such exorbitant fees are not only dragging the Registration offices to the verge of bankruptcy, but also helping to thwart the administration of justice on behalf of the poor tenants. Many litigants require to prove documents in their cases, but owing to excessive cost of taking copies, many poor tenants are unable to take copies and consequently they lose their cases, failing to prove such documents by producing copies thereof.

Before the introduction of the new registration rules, the cost of application for search of a document, as far as I know, was only one rupee, but now it has become one rupee for each name of executants in a single document. For instance, if there are 10 executants in one document search fee for taking copies are now 10 rupees over and above the other fees that are subsequently to be paid for the copy. But before the new rules were introduced the search fee was only one rupee whatever number of executants there might have been in the document. On account of provisions made for realising these kinds of excessive fees, works in the registration offices have fallen abnormally everywhere, and if the economic situation does not improve, most probably Government shall have to purchase lock and key for the Sub-Registry offices in the province. In my own district the registration works have become almost nil and as a consequence the Sub-Registrars in my own town have now no other business but to count the leaves of the banian trees situated near by. (Laughter.) They are enjoying pensions, as it were, for want of work.

I, therefore, earnestly pray that the Government should take immediate steps for the reduction of these excessive fees in the Registration offices of Bengal.

The following motion was called but not moved:—

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Rs. 200 (to raise a discussion of the increase of searching fees in particular and of the charges of registration of documents generally)."

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 18,94,000 under the head "9—Registration" be reduced by Rs. 100 (increase of registration fee and inadequate pay of officers).

In this connection I beg to say that the increase in registration fees has gone up to such an extent that it has practically become unbearable for the public, and although it has gone up so high the pay of the officers is not adequate, and that is why there are so many complaints regarding corruption, etc. If they get plenty of money to make both ends meet, they will not take recourse to these methods which are not sanctioned by the moral law. That is why I presume so much corruption is complained of in that particular Department. Whenever a search is necessary for certain documents, one has got to pay this Department and that Department and this clerk and that clerk a certain sum of money before he can get the documents searched.

There is another disadvantage in this Department which I wish to point out for the benefit of the public. There are two Registrars——

Mr. PRESIDENT: All this is due to the inadequacy of pay: Is that your argument?

Dr. AMULYA RATAN GHOSE: Yes. Inadequacy of pay leads to one or two or three Registrars in one Registration office. At Howrah there are two Registrars and documents are registered by every one of them in the absence of the other, although they are to register documents according to their jurisdiction. There is no certainty in which of the two offices documents are entered. And so when one applies for a document to be registered, I may give you one concrete instance of what happens——

Mr. PRESIDENT: Do you mean to say that all this will disappear when their pay is increased?

Dr. AMULYA RATAN GHOSE: Not that if the pay is adequate it will disappear, but——

Mr. PRESIDENT: Better come to your point. You based your motion on the inadequacy of pay.

Dr. AMULYA RATAN GHOSE: As regards inadequacy of pay I have said what I had to, and do not think I have anything more to add, but I believe that if the officers are paid better there will be much less corruption in the Department.

The following motions were called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Re. 1 (general policy and administration, particularly increase in the registration fees)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Re. 1 (abnormal rise of stamp duty and registration fees)."

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Dr. Amulya Ratan Ghose started off with the complaint that the registration fees caused great hardships; and he again went off complaining that officers in the Registration Department were not adequately paid. I do not know how he connects the one with the other, inasmuch as that he suggests that there should be a reduction in the registration fee and increase in the salary of officers. It is for consideration whether in these days of economic distress and financial stringency it will be a practical proposal that we should reduce our income and increase our expenditure. I have very much doubt if the House is prepared to accept a proposal of this kind.

As regards the inadequacy of pay of the officers in the Registration Department, Government have decided that all increases of pay of Government servants should be taken up at one time. We cannot go and change the scale of salary in any one particular Department because that would create an impression that one Department was being favoured at the expense of others. At the present time I am sure the House will not support any idea of a general increase of pay. Therefore, I submit that this is a motion which this House should not take seriously into consideration.

Before I go on to the other cuts I would like to make one statement and it is that I very strongly repudiate the suggestion that there are serious complaints about the Registration Department. There are complaints, it is true, but we find that on investigation these complaints are not generally proved to be true, and that some of them are brought merely on suspicion. As a rule, it is our experience that when an investigating officer goes to make an inquiry he finds no evidence in proof of the allegations that have been made, though in some case, I must admit that some of these charges have been proved, but I also submit to the House that there is no serious complaint about the working of the Registration Department as a whole.

Then, Sir, I take up the question that has been raised by Haji Badi Ahmed Chowdhury and Maulvi Abdul Hakim. Both these gentlemen have complained about the very great increase in registration fees which, according to them, has decreased the income of the Registration Department because many people are withholding the registration of documents. I shall very briefly show the amount of registration done in 1923-24, that is, prior to the raising of the fees, and the number of documents registered immediately after the registration fees were increased. In 1923, 16,98,000 documents were registered and in 1924 18 lakhs documents were registered, whereas in 1927 and in 1928 after the registration fees were increased, the number of documents registered went up to 19,05,000 and 19,45,000. The number went down afterwards which was due to economic distress. I would like to submit that the decline in the number of documents registered is not so great as the decline in the income of the people. This shows that the decline is not due to increase in registration fees but on account of general distress. It is a temporary difficulty from which we are all suffering.

Secondly, the most important thing in this connection is the number of applications for searching copies. The number of such applications in 1924, prior to the increase in registration fees, was 1,76,000 and in 1929, which is the beginning of the economic distress, the number of such applications was 1,75,000 and in 1930 it was 1,43,000. Thus we find that the number of documents registered and the number of applications for searching copies have not declined because of the increase of registration fees but because of the economic distress and the general fall in the income of the cultivating class—I may even say the general fall in the income of *zamindars* and all classes of people. We find that the scarcity of money in the *mufassal* is so great that naturally these people cannot indulge in litigation and the purchase and sale of lands. It is the natural consequence of economic distress and not due to the increased fee. But so far we have not received any evidence to prove that this increase has actually created a hardship. If the members can give us details Government will be very glad to consider them; and therefore I would request the hon'ble members to withdraw their motions.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the Council, withdrawn.

The motion of Maulvi Abdul Hakim was then put and lost.

The motion of Dr. Amulya Ratan Ghose was then, by leave of the Council, withdrawn.

[At 4-15 p.m. the Council was adjourned for prayer and it reassembled at 4-30 p.m.]

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 72,000 under the head "9A—Superintendence" be reduced by Re. 1 (to discuss that the Chakaria Sub-Registration Office should be made as 4th Joint Office under Cox's Bazar in Chittagong for the convenience of the public, officers and Badarkhali Co-operative colonisation).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, I should like to say that there should be established a joint sub-registration office at Chakaria within the jurisdiction of the sub-registration office at Cox's Bazar subdivision of Chittagong. For, it is very difficult for men to cross a large number of rivers running through Chakaria and go to Cox's Bazar for the purpose of registering their papers. An attached sub-registration office at Chakaria will dispense with the difficult journey to Cox's Bazar and lead to the increase of the number of cases of registration. Moreover, nearly 500 men that have taken up residence at the newly started colony of the Co-operative Department of the Government will have the opportunity of registration at Chakaria. The sub-registration office at Chakaria will also afford great facilities to the inhabitants of Idgaon, Khutakhali, Fulchhari, etc., in Cox's Bazar subdivision for registration of their papers, and this will substantially contribute to the income of the Chakaria joint sub-registration office.

I hope, Government will accept this proposal for a joint sub-registration office at Chakaria."

The following motion was called but not moved:—

Maulvi ABDUS SAMAD: "That the demand of Rs. 8,04,500 under the head '9B—Registration—District charges—Pay of officers' be reduced by Rs. 100 (to criticise the policy in the matter of recruitment of Sub-Registrars)."

Mr. H. R. WILKINSON: Sir, I take it that the object underlying this motion is to promote the convenience of the new settlers in the Badarkhali Ghona, and I think it may be admitted that to make the Chakaria Registration office a joint office with Cox's Bazar would conduce to their convenience. To accept the proposal, however, would be to revert to the old arrangement by which the Chakaria Registration office was established as an experimental measure. It was then meant to have concurrent jurisdiction with Cox's Bazar, but it was found that the Chakaria office was working at a deficit and therefore it was given independent charge, so that it would no longer work at a loss. It is still working at a loss, and if the present proposal is adopted this loss might be still further accentuated; it would then be difficult

to justify the retention of the Chakaria office, in which case the people in the interior would be put to much greater inconvenience. Government however are prepared to consider the suggestion in the light of these considerations and I would ask the member to withdraw this motion.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the Council, withdrawn.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 1,600 under the head "9B—District charges and other allowances" be reduced by Re. 1 (to discuss the indifference of the department to the local disadvantages of the district as regards house accommodation).

Sir, about this time last year I brought to the notice of the Government by moving a token cut motion in this House that the Sub-Registrars in the *mufassal* are placed under great disadvantage in the matter of house accommodation. I said that the Sub-Registrar's offices in the *mufassal* were located in rented houses the owners of which did not care to make the necessary repairs when such repairs were urgently necessary. The Hon'ble Minister in charge of the Department practically admitted the truth of my complaint and he said that many schemes which had received administrative sanction had to be held up for want of funds and so nothing could be done in that direction. He further said that he had one more scheme in his mind which was awaiting examination by the Department, namely, that he would ask some well-to-do villagers to build houses which they might let out on long leases and at suitable rents. I do not know whether he has done anything since then in this direction. If he has not done anything as yet, it is better that the Sub-Registrars should be told once for all that they are to remain contented with their lot, instead of keeping them under false hopes; and if the Department is so very callous as not to pay attention to the very just grievances of the rural Sub-Registrars, through whom the Government derive a very large revenue, then you must do one thing at least to save those poor officers, namely, to ask them to hold their offices under banian trees. Well, most of the rented houses have not even *pucca* plinths and in my part of the country I find that damages are being done by white ants. So if you do not take proper care and provide for better house accommodation, then of course the Sub-Registrars must not be taken to task by the Department if the valuable records are eaten away by white ants.

4-45 p.m.

So long as Government is not in a position to provide Sub-Registrars with *pucca* office accommodation and so long as these unfortunate

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 72,000 under the head "9A—Superintendence" be reduced by Re. 1 (to discuss that the Chakaria Sub-Registration Office should be made as 4th Joint Office under Cox's Bazar in Chittagong for the convenience of the public, officers and Badarkhali Co-operative colonisation).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, I should like to say that there should be established a joint sub-registration office at Chakaria within the jurisdiction of the sub-registration office at Cox's Bazar subdivision of Chittagong. For, it is very difficult for men to cross a large number of rivers running through Chakaria and go to Cox's Bazar for the purpose of registering their papers. An attached sub-registration office at Chakaria will dispense with the difficult journey to Cox's Bazar and lead to the increase of the number of cases of registration. Moreover, nearly 500 men that have taken up residence at the newly started colony of the Co-operative Department of the Government will have the opportunity of registration at Chakaria. The sub-registration office at Chakaria will also afford great facilities to the inhabitants of Idgaon, Khutakhali, Fulchhari, etc., in Cox's Bazar subdivision for registration of their papers, and this will substantially contribute to the income of the Chakaria joint sub-registration office.

I hope, Government will accept this proposal for a joint sub-registration office at Chakaria."

The following motion was called but not moved:—

Maulvi ABDUS SAMAD: "That the demand of Rs. 8,04,500 under the head '9B—Registration—District charges—Pay of officers' be reduced by Rs. 100 (to criticise the policy in the matter of recruitment of Sub-Registrars)."

Mr. H. R. WILKINSON: Sir, I take it that the object underlying this motion is to promote the convenience of the new settlers in the Badarkhali Ghona, and I think it may be admitted that to make the Chakaria Registration office a joint office with Cox's Bazar would conduce to their convenience. To accept the proposal, however, would be to revert to the old arrangement by which the Chakaria Registration office was established as an experimental measure. It was then meant to have concurrent jurisdiction with Cox's Bazar, but it was found that the Chakaria office was working at a deficit and therefore it was given independent charge, so that it would no longer work at a loss. It is still working at a loss, and if the present proposal is adopted this loss might be still further accentuated; it would then be difficult

Kazi EMDADUL HOQUE: In view of the assurance given by the Hon'ble Minister, I beg to withdraw the motion.

The motion was then, by leave of the Council, withdrawn.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,07,300 under the head "9B—District charges—Cost of transmission of landlords' fees" be refused.

I also beg to move that the demand of Rs. 1,07,300 under the head "9B—District charges—Cost of transmission of landlords' fees" be reduced by Rs. 50,000.

Sir, in the first motion I wish to raise a question of principle. This demand is made principally to provide for the pay of some clerks for transmitting the landlords' fees and for other expenses in connection with this transmission. There has been a good deal of discussion not only on the floor of this House, but throughout the whole country as to whether the landlord's fee levied under the Bengal Tenancy Amendment Act is at all a justifiable thing.

Mr. PRESIDENT: We are not dealing with that matter now, and you cannot go into that.

Maulvi TAMIZUDDIN KHAN: Sir, I do not want to deal with it at great length, but may I not say that as it is not a desirable thing there should be no provision made whatsoever for the transmission of this fee?

Mr. PRESIDENT: You should recognise that it does not arise out of your motion.

Maulvi TAMIZUDDIN KHAN: Surely, Sir, it is so, but am I not entitled to say whether it is a good thing or a bad thing or whether the practice of transmitting the landlord's fee should be discontinued?

Mr. PRESIDENT: Yours is an economic cut and I think your principal duty is to suggest means by which the landlord's fee can be transmitted in a much cheaper way. You should not forget that yours is not a token cut.

Maulvi TAMIZUDDIN KHAN: Sir, to my mind it is a cut on principle, as I object to the provision of this money on principle.

Mr. PRESIDENT: Well, my point is that if you raise a point like that in the course of the discussion, the Hon'ble Minister will be called upon to reply to it, but it is obvious that he or his Department are not in a position to meet that point. It does not concern him.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 72,000 under the head "9A—Superintendence" be reduced by Re. 1 (to discuss that the Chakaria Sub-Registration Office should be made as 4th Joint Office under Cox's Bazar in Chittagong for the convenience of the public, officers and Badarkhali Co-operative colonisation).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, I should like to say that there should be established a joint sub-registration office at Chakaria within the jurisdiction of the sub-registration office at Cox's Bazar subdivision of Chittagong. For, it is very difficult for men to cross a large number of rivers running through Chakaria and go to Cox's Bazar for the purpose of registering their papers. An attached sub-registration office at Chakaria will dispense with the difficult journey to Cox's Bazar and lead to the increase of the number of cases of registration. Moreover, nearly 500 men that have taken up residence at the newly started colony of the Co-operative Department of the Government will have the opportunity of registration at Chakaria. The sub-registration office at Chakaria will also afford great facilities to the inhabitants of Idgaon, Khutakhali, Fulchhari, etc., in Cox's Bazar subdivision for registration of their papers, and this will substantially contribute to the income of the Chakaria joint sub-registration office.

I hope, Government will accept this proposal for a joint sub-registration office at Chakaria."

The following motion was called but not moved:—

Maulvi ABDUS SAMAD: "That the demand of Rs. 8,04,500 under the head '9B—Registration—District charges—Pay of officers' be reduced by Rs. 100 (to criticise the policy in the matter of recruitment of Sub-Registrars)."

Mr. H. R. WILKINSON: Sir, I take it that the object underlying this motion is to promote the convenience of the new settlers in the Badarkhali Ghona, and I think it may be admitted that to make the Chakaria Registration office a joint office with Cox's Bazar would conduce to their convenience. To accept the proposal, however, would be to revert to the old arrangement by which the Chakaria Registration office was established as an experimental measure. It was then meant to have concurrent jurisdiction with Cox's Bazar, but it was found that the Chakaria office was working at a deficit and therefore it was given independent charge, so that it would no longer work at a loss. It is still working at a loss, and if the present proposal is adopted this loss might be still further accentuated; it would then be difficult

Mr. PRESIDENT: I do not object to your calling it bad, but I ask you not to labour that point.

Maulvi TAMIZUDDIN KHAN: Sir, if I can say that it is a bad thing for the tenants, it is a thing which the tenants must and will naturally try to get rid of, but they have not hitherto met with any appreciable success towards that end. Therefore, Sir, we on this side of the House have thought it proper to refuse this demand so that Government which has hitherto been oblivious of the demands of the tenants in this respect may come to its proper sense and may think of revising its policy so far as this question is concerned. It is no doubt, Sir, an unfortunate position that I am going to take up. It is in fact a policy of obstruction that we are going to adopt, but the situation is such that we could not find out any other means whereby we could expect to get any relief whatsoever. Therefore, although we are ordinarily opposed to methods like this, on this question we have no other alternative but to follow with regret this policy of obstruction. We want to make the working of this Department a failure, because the landlord's fee which is sought to be transmitted under this demand is a matter against which the tenants in general have serious objections.

Then, Sir, as regards the second motion, I should like to say a few words more. The cost levied for the transmission of the landlord's fee is highly excessive. I think it has been shown on occasions more than one on the floor of this House that the cost is exorbitant and protests have been made against such excessive levy. But hitherto the Government does not seem to have taken any action whatsoever towards a reduction of this cost. To achieve that object, I think it is necessary for the Government to revise the rules under which this cost is levied. I also think, that the total amount that is necessary for the transmission of the landlord's fee should not be as much as is demanded by the Hon'ble Member under this head and the whole thing can be managed with a much lesser amount. Therefore, so far as my second motion is concerned, it is an economic cut and I propose that the Government will be able to do with a reduced amount under this head. The impression is that the total amount that is realised on account of transmission of landlords' fees is not actually spent for such transmission. It is spent on other heads, and sometimes various methods are adopted to show that it is actually spent on the general head of transmission of landlords' fees. But if the rule is looked into carefully, we are of opinion that the whole thing can be managed with a much less amount if only the attention of Government is restricted to the actual transmission of these fees. With these words, I commend my motions to the acceptance of the House.

Maulvi ABDUL HAKIM: I beg to move that the demand of Rs. 1,07,300 under the head "9B—Registration—District charges—Total cost of transmission of landlords' fees" be reduced by Rs. 100 (to urge the reduction of transmission fee).

Sir, the object of my moving this motion is to draw the attention of Government to the realisation of excessive cost for transmission of landlord's fee in the sub-registry offices of Bengal. The fact is known to almost all members of this House, both official and non-official, as the subject matter of this motiou was discussed threadbare on the floor of this House at a session of this Council on a resolution brought by one of my colleagues some time ago. It was clearly shown at that time by facts and figures that transmission fee realised in sub-registry offices is in excess of the actual requirements for the work for which this fee is realised.

As far as I know, the staff of temporary clerks employed in the Collectorates for the administration of this particular head have already been reduced, but the rate of transmission cost has not been reduced up till now. The landlord's fee is itself a heavy burden upon the poor and helpless tenants. Over and above that, another burden has come upon their shoulders in the shape of this transmission fee which the tenants are now quite unable to bear. The landlord's fee and the transmission fee are equally responsible for the awful loss of income in the Registration Department, but to our great misfortune Government are still pursuing a policy which is suicidal to the Registration offices in the province. I may add here that owing to the realisation of these fees and some other fees of the like nature some sub-registry offices have already been abolished and, if the economic situation does not improve, I can assure this House that many more offices will be abolished in the near future. Cut motions were also tabled at the last Budget Session urging the reduction of the cost of transmission fee. As far as I remember that resolution of my colleague was carried, but to our utter misfortune Government have not taken any steps whatsoever for a proper solution of the matter, even at this time when the whole country is passing through an economic crisis, probably unparalleled in the history of Bengal. I do not like to spend much time over the deliberations of a matter the importance of which we are already aware. I simply urge Government to take early steps for reducing this excessive transmission fee which is one of the burning grievances of the tenants of Bengal.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,07,300 under the head "9—Registration—District charges—Cost of transmission of landlords' fees" be reduced by Rs. 10.

My object here is to draw attention to the necessity of revising the rules made under the Bengal Tenancy Act, 1928, regarding the fees payable for the transmission of landlords' transfer fees. I have already said a few words about this in connection with another motion, and I do not think I need say anything more in support of this motion. If the fees are actually excessive, it is high time that the Government should think of revising the rules under which these fees are levied. If an assurance is given that the Government is intending to take action so far as this is concerned, I shall not object to withdraw this motion.

The following motions were called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,07,300 under the head '9—Registration—District charges (Transferred)—Cost of transmission of landlords' fees' be reduced by Re. 1 (drastic amendment of the Bengal Tenancy Act in this connection as it involves hardships on the cultivators)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 18,22,000 under the head '9B—District charges' be reduced by Re. 1 (exorbitant charges for *raiyats* to pay at the present economic crisis)."

Maulvi SYED MAJID BAKSH: It is with much trepidation that I beg to touch this very delicate subject which has been moved by my friend Maulvi Tamizuddin Khan. But, Sir, bowing to your ruling as I do, it is really very difficult to confine our remarks within limits, over and above that which has been laid down by the Act itself. I when one thinks of the great injustice that has been done to the tenants know the executive take shelter under the Bengal Tenancy Act, but I should say that the establishment that has been created for the transmission of landlords' fess is quite out of place. Transmission of landlords' fees may be very easily and very economically done, if it is left to those very officers who register the documents as they did before the present amendment of the Bengal Tenancy Act. In that case only an additional clerk is required and nothing more, but instead of doing this, a Department has been established in every Collector's office, carrying along in its train the same red tapism that is evidenced in all other Departments. And this Department is responsible for the excessive demand that has been put forward here. Instead of increasing the advantages by this method, they have created disadvantages for which many sufferers know there is practically no remedy. The money that is paid by the tenant as landlords' fees is deposited with Government. The transmission fee goes to Government for transmitting the landlords' fees and the cumbrous procedure adopted invariably ends in the landlord losing his transfer fee altogether. For

example, I know cases in which many landlords have lost their transfer fees in this way. It is known to those who are recipients of these fees that notices are sent from Government Collectorates that landlords' fees are due to them, and the document has been registered and the landlord's fee has been deposited. Full 9 months after this when the notice has been lost and forgotten, either a money order reaches the landlord if he is fortunate, or he hears nothing. Thereafter the landlord finds that the tenantry under him has been transferred. Of course he discovers that after some time, but he discovers it when the new tenant tries to pay rent or some such thing is brought to the notice of the landlord. When he finds this, he goes to the Collectorate and finds that the money is by that time forfeited to Government. Well, this is the result of this cumbrous procedure. Therefore my friend is quite right when he objects to this demand in order to put a stop to this auxiliary establishment which instead of helping the landlords, does exactly the opposite. Instead of helping the landlords in transmitting landlords' fees, it only helps the Government by——

The Hon'ble Sir B. B. GHOSE: But the money goes to the district boards, it does not go to Government.

Maulvi SYED MAJID BAKSH: This reminds me of a story in Charles Lambs' Essays of Elia of a gentleman's son who was present at a meeting. His father was dead and his father's friend who was also present after seeing him said how happy it would have been if his father had been present. Then a Scotchman who was present at the meeting, said: "How can the father be present at the meeting? He is long dead" as if the fact of the death was not known to the father's friend. The father's friend then said that he knew long ago that the father was dead, but what he did not know was that the honest Caledonian's brain was impervious to humour.

The Hon'ble Sir B. B. GHOSE: I do not know this story; I do not come from East Bengal.

Mr. PRESIDENT: What has East Bengal got to do with it?

Dr. NARESH CHANDRA SEN GUPTA: I suppose this is an illustration of the illogicality on which the Hon'ble Member prides himself.

Maulvi SYED MAJID BAKSH: Neither do I come from Eastern Bengal, Sir. However, that is beside the point. I know the money is credited to the district board which is under the Local Self-Government Department, and it is even to this day a part and parcel of the Government. It is a Government Department, and if my

friend will refer to the Government of India Act, he will find that the Government now consists of Reserved and Transferred Departments. It is credited to the district board, and therefore it is credited to Government. Therefore I think that instead of taking the money from the poor tenant and using it in this way, Government should revise the procedure. I think my friend's motion is quite correct, and unless the rules are revised, making the transmission of landlords' fees very cheap and very economic, I think this motion should be supported by all.

5-15 p.m.

Babu AMULYADHAN RAY: Sir, I wholeheartedly support the motion of Maulvi Tamizuddin Khan. Sir, in the year 1928, in the sacred house of the Town Hall, a scene was enacted when the tenants of Bengal were slaughtered.

Mr. PRESIDENT: You cannot go through that matter while speaking on the motion now before the House.

Babu AMULYADHAN RAY: Sir, by the cost of transmission fees, the tenants of Bengal were slaughtered and by whom? By an unholy combination of the so-called proprietors of the soil——

Mr. PRESIDENT: Order, order. Your remarks are uncalled for while the question before the House is the cost of transmission of landlords' fees. You are really aiming at the other thing.

Babu AMULYADHAN RAY: Unless the cost of transmission be reduced, the tenants of Bengal will not survive any longer; and the sooner it is done, the better for them.

Dr. NARESH CHANDRA SEN GUPTA: Sir, my first objection to this head upon which a cut has been moved is that it is a misnomer. The head is called the cost of transmission of landlords' fees. Well, as a great part of the landlords' fees are not transmitted but retained. it ought to be called the cost of transmission and retention of landlords' fees. The great bulk of proprietors of land in this province, although it may not be the bulk of proprietors in value, the great bulk of proprietors happen to be co-sharer landlords, and so far as co-sharer landlords are concerned, it is only the retention of landlords' fees. I was somewhat surprised when I received certain figures last year in answer to certain questions of which I had given notice in the Council but which were not answered in the Council—showing that the amount which was spent for transmission of landlords' fees—I mean the expenditure upon the transmission of landlords' fees was greater as a matter of fact than the amount that was recovered. My impression was that

it ought to be much less. There is no question about that. But somehow the departments of the Government have managed to make it greater. That is what ought not to be. There is a very much simpler method of transmission of landlords' fees and there are numerous ways in which the cost under this head might be reduced. There is such a thing as the post office, and supposing each Registrar, as he receives the landlords' fees, transmits the amount by postal money order, I do not see how the heavens would fall. At any rate, I suppose the landlords on the whole would not be receiving less than the landlords' fees as they are getting now. Then why this elaborate paraphernalia swallowing the large amount of Rs. 1,75,000 for partial retention of landlords' fees? Well, Sir, I should like to be enlightened further with regard to one or two other matters. Does this cost of transmission which is shown under the head "Registration" include only expenditure in the Registration Department? So far as I can see, all that the Registration Department does is to transmit the landlords' fees to the Collectorate. There, I suppose, the business of the Registration Department ceases and it goes into the hands of the Land Revenue Department. I should like to know whether the whole amount of Rs. 1,75,000 is spent in the Registration offices. My impression is that the bulk of it is spent in the Collectorate. If that is so, why should this come under the head "Registration" and to what extent is the Hon'ble Minister in charge of Registration really responsible for the administration of this expenditure? I should like to be enlightened on this point. But in any event, I do not think this vast amount is necessary for the transmission of landlords' fees. I think it might be possible to effect this by a simpler procedure and a great deal of the trouble might be avoided if a voluntary acceptance of the fees by landlords is accepted as a substitute for depositing the fees. There are also numerous other methods which might be devised by which this expenditure might be minimised. If these landlords' fees are levied, the whole of it should go to the landlords and it might reach the hands of the landlords without a cumbrous procedure in the course of which some part of it must necessarily be eaten up in the costs of the procedure for withdrawal.

Babu HEM CHANDRA ROY CHOUDHURI: Sir, I rise to oppose the motions of Maulvi Tamizuddin Khan. The effect of these motions, if carried, will be that the landlords' fees will not be paid. If the cost of transmission be refused, it will not be possible for the Government or the Registration Department to send the fees which would be realised, for the landlords.

Maulvi SYED MAJID BAKSH: The Department will make rules to send the fees by money order.

Babu HEM CHANDRA ROY CHOUDHURI: Until those rules are made, you cannot refuse the cost of transmission, because in transmitting the fees, the Government has to incur some cost and that cost must be realised from the parties. Sir, I am sorry that in spite of your rulings, the implication of the speech delivered by Maulvi Tamizuddin Khan is that the fees are excessive but I am not allowed to make any remarks about that.

Sir, I would like to support the motions of Maulvi Abdul Hakim and Maulvi Tamizuddin Khan. In July last year—on the 31st of July, 1931—I moved a resolution asking the Government to reduce the transmission cost and that resolution was accepted by the House. But in reply to my speech in moving that resolution the Hon'ble Sir P. C. Mitter said that in the year 1929-30 the total amount received by Government was Rs. 8,10,939 and the total expenditure was Rs. 7,72,619. There was in that year a saving of Rs. 38,320. In the year 1930-31, the total amount realised was Rs. 7,45,248 and the total expenditure was Rs. 8,38,805. There was therefore an excess expenditure of Rs. 93,557 that year so that calculating the surplus of the first year and the excess expenditure of the second year it was found that there was an excess expenditure of Rs. 55,237. Sir, in summing up the discussion, I challenged the correctness of those figures and I wanted the Hon'ble Member to produce a detailed account before the House that we might scrutinise and see how much of the whole amount realised had actually been spent for transmitting the fees. We have a doubt and that doubt, I think, is a genuine one that the greater part of the amount had been spent for the Registration Department itself and to-day also the Government's reply may be that the amount realised does not exceed expenditure. Even now I request the Hon'ble Member to produce before us the whole account and give an opportunity to find out whether actually there is an excess either on the expenditure side or on the receipt side. If the detailed account is produced, I think there cannot be any complaint about that but unless and until that account is produced, this House has legitimate doubts regarding the correctness of the accounts.

The Hon'ble Sir B. B. GHOSE: Sir, much irrelevant things have been urged in support of this motion. The first thing was that the landlords' fees were inequitable and that the cost of transmission should not be charged. Under the Bengal Tenancy Act, the Government have been forced to accept the liability of transmitting the landlords' fees. Therefore, the Government have to realise transmission fees to remit landlords' fees.

Then there is another thing which has been stated and that is that the whole money is not spent in the Registration Department but in the Revenue Department. This is also not correct. The whole money is spent by the Registration Department.

With regard to the resolution that was passed by this House on the 31st July, 1931, asking for a reduction in the cost of transmission, the whole question was examined and the Government did not see their way to reduce the rate as there was no excess of income over the expenditure at the end of the first year's working.

Sir, one of the members has challenged the correctness of the accounts. With regard to that it is very difficult to give any figures which cannot be challenged. Any member may say that the figures are wrong. It will certainly mean that you do not believe the Department which has drawn up the account. What I say is this: the rates were fixed after very careful consideration. The Act has been in force for about three years and the matter is still in an experimental stage. Government have no intention to make profit out of these fees. If after a few years' working it is found that savings are accruing, Government will consider the question of reducing the rates. Past experience has not justified a reduction at the present moment. When the accounts of 1932-32 are made, it would be possible to say if there can be any reduction. If the amount is reduced now or if the amount is refused by the Council at this stage, then the whole work will come to a standstill. The money is required for paying the extra staff in the Registration Department and for contingencies of that Department. Government have no wish to do the work of transmission of transfer fees. But as I have said before, they have been compelled by the legislature to accept the duty. The position will be absurd if the necessary cost of transmission is not forthcoming. In that case it would mean, as one of the hon'ble members has pointed out, that Government would not be in a position to transmit the fees and the whole of the money would remain with the Government.

5-30 p.m.

As to accumulation of transfer fees lying with Government, that difficulty has arisen because a large number of co-sharers will not come forward to appoint a common agent or combine in some manner by which the Department may pay without risk.

A large proportion of the *raiyati* holdings in Bengal which were made transferable by the Act of 1928 are held under co-sharer landlords who may number as many as 160 and notices have to be served separately on every one of them. In addition, the fees have to be sent by money order to all sole landlords or landlords who have appointed common agents under section 99A. It would obviously be impossible to divide fees ranging between one and twenty rupees into, say, 160 parts and to send them out separately by money order. Hence, the greater part of the accumulated balance consists of fees due to the co-sharer landlords and the main reason of the accumulation is the failure

of these co-sharer landlords to appoint common agents. There is however provision in the law and the rules for payment in cash to co-sharers on their joint application and for payment to co-sharers separately on certain conditions. If these rules had been studied and acted upon by the landlords of Bengal, the accumulation would have been much less serious. This was pointed out by the Hon'ble Member in charge of the Revenue Department to ascertain representative landlords at a conference convened by him in the Council Chamber on 2nd March, 1931. He assured the members that if they came forward with any constructive suggestions which would help in solving the difficulties experienced by them in withdrawing transfer fees, they would receive most careful attention.

According to the provisions of section 18C of the Bengal Tenancy Act, all landlords' fees and landlord's transfer fees deposited with the Collector before or after the commencement of the Bengal Tenancy (Amendment) Act, 1928, under Chapter III, IV or V and all fees deposited with the Collector under section 48 (H) (*1*) shall, unless accepted or claimed by the landlords within five years from the date of service of notice, be forfeited to Government to be credited to the district boards within the respective jurisdiction of which such fees accumulate.

Now, Sir, the above is the explanation of why there has been this accumulation of money in connection with the transmission of landlords' fees, to which Dr. N. C. Sen Gupta referred. As has been pointed out, there has been no surplus with regard to this expenditure, and if there is any surplus at all during 1930-31 this will not be forfeited to Government. Government will certainly consider the desirability of making a reduction in the cost of transmission of fees if possible. As a matter of fact, Government undertake to make no profit from these transactions and on these grounds therefore I oppose the motions.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to tell us if any portion of this transmission cost has been applied towards the pay of Sub-Registrars, and if so, how much?

The Hon'ble Sir B. B. GHOSE: Yes, but I cannot say what the amount is, just now, off hand.

The motion that the demand of Rs. 1,07,300 under the head "9B—District charges—Cost of transmission of landlords' fees" be refused was put and a division taken with the following result:—

AYES.

Bakshi, Maulvi Syed Majid.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Khan Bahadur Maulvi Ali-muzzaman.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Eusufji, Maulvi Nur Rahman Khan.
Hakim, Maulvi Abdul.
Hossain, Maulvi Muhammad.

Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Momin, Khan Bahadur Muhammad Abdul.
Mallick, Mr. Mukunda Behary.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur.
Ray, Babu Amulyadhan.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hoseni.
Saadatullah, Maulvi Muhammad.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Suhrawardy, Mr. H. S.

NOES.

Armstrong, Mr. W. L.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Barma, Rai Sahib Panchanan.
Bartley, Mr. C.
Basir Uddin, Khan Sahib Maulvi Mohammed.
Basu, Babu Jatindra Nath.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Battomley, Mr. J. M.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Rai Bahadur Kamini Kumar.
Das, Rai Bahadur Satyendra Kumar.
Dutt, Rai Bahadur Dr. Haridhan.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Faweus, Mr. L. R.
Ferrester, Mr. J. Campbell.
Gangali, Rai Bahadur Sueil Kumar.
Ghose, the Hon'ble Sir B. S.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Babu Profulla Kumar.
Guha, Mr. P. H.
Gurner, Mr. C. W.
Hosain, Nawab Mucharruf, Khan Bahadur.
Hussain, Maulvi Latafet.
Kerr, Mr. W. J.
Khan, Maulvi Amin-uz-Zaman.
Khan, Mr. Razaur Rahman.
Marr, the Hon'ble Mr. A.
Mittra, Babu Sarat Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Poddar, Seth Hunuman Prosad.
Prentice, the Hon'ble Mr. W. D. R.
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mahan.
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.
Ray Chowdhury, Babu Satish Chandra.
Roy, Babu Satyendra Nath.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijay Prasad Singh.
Ray Choudhuri, Babu Hem Chandra.
Sahana, Babu Satya Kinkar.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rebati Mahan.
Sen, Mr. B. R.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.
Wordsworth, Mr. W. C.

The Ayes being 23 and the Noes 65, the motion was lost.

The motion that the demand of Rs. 1,07,300 under the head "9B—District charges—Cost of transmission of landlords' fees" be reduced by Rs. 50,000 was then put and lost.

The motion that the demand of Rs. 1,07,300 under the head "9B—Registration—District charges—Total cost of transmission of landlords' fees" be reduced by Rs. 100 was put and lost.

The motion that the demand of Rs. 1,07,300 under the head "9—Registration—District charges—Cost of transmission of landlords' fees" be reduced by Rs. 10 [to draw attention to the necessity of revising the

rules made under the Bengal Tenancy (Amendment) Act, 1928, regarding the fees payable for the transmission of landlords' transfer fees] was then put and a division taken with the following result:—

AYES.

Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Khan Bahadur Maulvi Ali-muzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Eusufji, Maulvi Nur Rahman Khan.
Ghose, Dr. Amulya Ratan.
Karim, Maulvi Abdul.
Hossain, Nawab Musharruf, Khan Bahadur.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Moiti, Mr. R.
Momin, Khan Bahadur Muhammad Abdul.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Poddar, Seth Hanuman Prosad.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Rai Mahasai, Munindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hoseni.
Roy, Babu Satyendra Nath.
Roy, Mr. Sarat Kumar.
Roy Choudhuri, Babu Hem Chandra.
Saadatullah, Maulvi Muhammad.
Sen Gupta, Dr. Haresh Chandra.
Shah, Maulvi Abdul Hamid.
Sinha, Raja Bahadur Bhupendra Narayan, of Hashipur.
Suhrawardy, Mr. H. S.

NOES.

Armstrong, Mr. W. L.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Bartley, Mr. O.
Basir Uddin, Khan Sahib Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Rai Bahadur Kamini Kumar.
Das, Rai Bahadur Satyendra Kumar.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Ganguli, Rai Bahadur Susil Kumar.
Ghose, the Hon'ble Sir B. B.
Ghuznavi, the Hon'ble Alhadj Sir Abdel-karim.
Gilchrist, Mr. R. N.
Guha, Babu Profulla Kumar.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-ur-Zuman.
Khan, Mr. Razaur Rahman.
Marr, the Hon'ble Mr. A.
Mittra, Babu Sarat Chandra.
Nag, Babu Suk Lal.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. Saileswar Singh.
Ray, the Hon'ble Mr. Bijoy Prasad Singh.
Sahana, Babu Satya Kinkar.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Mr. S. R.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.
Wordsworth, Mr. W. C.

The Ayes being 40 and the Noes 49, the motion was lost.

[Here the time-limit for the discussion of the demand under the head "9—Registration" was reached.]

The motion that a sum of Rs. 18,94,000 be granted for expenditure under the head "9—Registration" was then put and agreed to.

The following motions under the head "9—Registration" were not called owing to the expiry of the time-limit:—

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 1,07,300 under the head '9B—Registration—District charges—Cost of transmission of landlords' fees' be reduced by Rs. 1,000 (to raise a discussion on the amended provisions of the Tenancy Act resulting in the fall of revenue under Registration)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 1,07,300 under the head '9B—District charges—Cost of transmission of landlords' fees' be reduced by Rs. 100 (to draw attention to the excessive fees realised)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 1,07,300 under the head '9B—Registration—District charges—Cost of transmission of landlords' fees' be reduced by Re. 1 (procedure of recording and realising the landlords' fees and the difficulty in withdrawing the same)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,07,300 under the head '9B—Registration—District charges—Cost of transmission fees' be reduced by Re. 1 (to raise a discussion on the amended provision of the Tenancy Act resulting in the fall of revenues under Registration)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 18,22,000 under the head '9B—District charges' be refused."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 18,22,000 under the head '9B—District charges' be reduced by Rs. 100 (to draw attention to the hardship caused to a large number of people by the abolition of the sub-registry office at Kalkeni in the district of Faridpur and to the advisability and feasibility of reinstating the office)."

Babu AMULYADHAN RAY: "That the demand of Rs. 18,22,000 under the head '9B—Registration—District charges' be reduced by Re. 1 (want of any proper provision for the appointment of candidates belonging to the depressed classes)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 18,22,000 under the head '9B—Registration—District charges' be reduced by Re. 1 (to draw the attention of the Government to the want of any proper provision for the candidates of the backward classes for appointment either as Sub-Registrars or as clerks)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Rs. 1,94,000."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Rs. 500 (general policy)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Rs. 100 (to urge the necessity of empowering the Sub-Registrars in the subdivisional headquarters with powers to hear registration appeals)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Rs. 100 (necessity for building rest houses for women attending for registration)."

Babu KHETTER MOHAN RAY: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Re. 1 (to point out the sharp fall of revenue under this head due to the amendment of the Bengal Tenancy Act, making payment of transfer fees compulsory, and with a view to urging the necessity for further amendment)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Re. 1 (need for providing rest houses for women registrants)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Re. 1 (to criticise the working of the Registration Department in connection with registration of documents especially under the Bengal Tenancy Act)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 18,94,000 under the head '9—Registration' be reduced by Re. 1 (to draw attention to the necessity of amending the Registration Act of Muhammadan Marriages with a view to fix the realisation made by Marriage Registrars in Bengal by way of *nazar*)."

9A—Scheduled taxes.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 15,000 be granted for expenditure under the head "9A—Scheduled taxes."

This demand is explained on page 44 of the Financial Statement and consists of one single item, namely, Rs. 15,000, for payment to the Calcutta Turf Club for the collection on behalf of Government of the betting tax due from the totalisator and bookmakers. I should like to explain to the House that if this sum be interfered with, this might lead to the breakdown of the whole machinery for the collection of the betting tax, as we have no other agency for collecting this tax.

The following motion was called but not moved:—

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 15,000 under the head '9A—Scheduled Taxes—Betting Tax' be reduced by Rs. 10,000."

MUNINDRA DEB RAI MAHABAI: I beg to move that the demand of Rs. 15,000 under the head "9A—Scheduled Taxes" be reduced by Rs. 1,000 (policy involved in the betting-tax collection).

Mr. President, Sir, it was unfortunate that my countrymen should imbibe from our rulers the spirit of gambling which is inherent in them. In fact, they belong to a race of gamblers and speculators quite unsuited to the traditions of our country. The racing habit has desolated many a happy home and has caused the ruin of many well-to-do men. It has spread like an infectious disease which is eating into the vitals of a large section of my countrymen and should be stopped by all means. Sir, it has been said that it would be unfair to penalise those who go to the races to enjoy themselves and bet because they can afford to pay for it for the sake of those who gamble beyond their means and a justification has been found in the fact that gambling and betting on race course have been going on for very many years. It was indeed a precious argument to support a vice because of its existence for a long time. Comment on such a mentality was needless. With these words I beg to move my motion.

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 15,000 under the head "9A—Scheduled taxes" be reduced by Re. 1 (to raise a discussion about betting and the Calcutta Turf Club).

Sir, I may say that betting at the Calcutta Race Course and at various race courses are really ruining many families in Bengal and the sooner these things are stopped the better for all concerned.

The Hon'ble Mr. A. MARR: The same mover moved the same motion last year and I shall deal with it in the same way as I did last year. Gambling and betting on race courses had been going on in Calcutta and elsewhere for many years before the tax was introduced and, even if this were now stopped altogether, I am quite certain that the people of India would bet on something else. There have been in the past other forms of gambling, such as rain gambling, opium price gambling, *baras*, etc. All I need say is that we saw a chance of raising money for provincial funds by putting a tax on this little luxury of the people and we get a certain amount of revenue from this. This tax has certainly not encouraged betting; indeed, it has been a factor in discouraging it and if this demand is reduced at all, there is a risk of losing the whole income under this head. I oppose the motions.

The motion of Munindra Deb Rai Mahasai was then put and lost.

The motion of Dr. Amulya Ratan Ghose was put and lost.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 15,000 under the head "9A—Scheduled taxes" be reduced by Rs. 101 (to raise a discussion about the congestion and insanitary condition of some of the theatres and cinema houses and on film censorship and the abnormal increase of carnival shows which are primarily intended for betting).

Sir, another sort of gambling is being encouraged by the police in granting licences for the opening of the so-called carnivals in almost all the streets of Calcutta which has largely affected the pockets of the poorer section of my countrymen. These gambling tents should be pulled down at the earliest opportunity to save the people from utter ruin and from being turned into moral wrecks.

One word about the places of amusements and I have done. Sir, the theatres and cinemas which have sprung up like so many mushrooms in our cities and towns of late have given rise to certain amount of anxiety in the minds of the guardians of the future citizens of Bengal. These places of amusements played an important part in the shaping of the mentality of immature young folks of both the sexes. A great responsibility therefore rested with those who were entrusted with the task of controlling these shows. The time has come for the state to intervene in matters affecting the social and moral well-being of the nation, apart from the political aspect which in the nature of things receive due attention. Yes, there is a Board of Censors for films, but there is general complaint about its composition and working. A thorough overhauling of the machinery of control has become absolutely necessary. The dual control of the police and the Corporation should

cease, and it should be vested in a Board of Control with due representations of different interests to safeguard the morals of the people from the inrush of western vices.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to move that the demand of Rs. 15,000 under the head "9A—Scheduled taxes" be reduced by Rs. 100 (the policy underlying the permitting of the licensing of the carnivals in Calcutta).

Sir, I am happy that I have got a valued supporter in Mr. Suhrawardy even before I moved the motion. There can be no question, I believe, that I shall get the full support of everybody after I have moved my motion. People coming from the *mufassal* with the idea of acute distress prevailing in the country, with the idea of half a meal for millions of their countrymen, with the idea of professions declining and trade declining, are astounded to find in the city of Calcutta people gambling under the brilliance of electric lights, and this system of gambling is robbing the poor people of their hard-earned money. It is not the rich that are robbed, but it is mostly the poor people who earn by daily labour that are robbed by this process of exploitation. Sir, as a matter of fact, I visited one of these carnivals with the object of satisfying my curiosity, and what I found there was the most disgraceful and painful scene; in spite of the brilliance of the electric lights outside, it had a very ugly inside indeed. I was really surprised to find that when Government is in a bankrupt condition and cannot make both ends meet, it is not alive to the seriousness of the situation that the people are going to be ruined if this sort of thing is allowed to go on in the heart of the city of Calcutta. I found that in most of these places Anglo-Indians and Eurasians were engaged in gambling. I was really struck by the sort of gambling that was allowed to be carried on in these carnivals. It is really a disgrace to the city of Calcutta and a disgrace to the Government to allow these carnivals and I hope that the House will rise to the height of its sense of responsibility and give expression to the same by carrying this motion of mine.

Mr. H. S. SUHRAWARDY: Sir, may I add a few words to my rather premature support of this motion? I think all right-thinking men, in which, of course, in accordance with the best traditions of this House, I do not include the Members of Government, will support the amendment that has been moved by Mr. Ray Chowdhury. I have always found that when the more the economic distress, the less money a person has in his pocket, the greater is his desire to obtain money by gambling and wagering. If Government had started a State lottery for the purpose of stabilising the finances of Bengal, or of opening out hospitals and other beneficent institutions or financing necessary works, we should all have subscribed to it. But as soon as

you mention this, Government turns up its nose, adopts an unctuously righteous policy, and says that it is against the considered policy of Government to support gambling transactions. On the other hand, Government allows gambling to be carried on in these carnivals, which rob the people of their hard-earned money. I have never been myself to these carnivals, but I have seen persons who, I know perfectly well do not earn sufficient to keep body and soul together, enter these carnivals in the hope of getting richer, but eventually they come out poorer than when they went in. I know that these carnivals bring money to a lot of unscrupulous persons, because a number of them came to me and asked me for my professional advice as to how they could secure licences from the police—an advice which I did not feel competent to give. All the same, we find that the police of Calcutta have distributed these licences with a free hand, and whenever any person has been able to approach the police properly, he has always been able to get such a licence. The sooner this is stopped, the sooner the gambling that goes on in these carnivals is stopped, it will be better for Calcutta. I say this because I know that there is a very strong feeling amongst the better minded people of Calcutta that these carnivals should be stopped as soon as possible.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I made inquiries yesterday from the Commissioner of Police as to whether the police actually issued licences for these carnivals, and I was told that the police did not. Mr. Suhrawardy has just told us that he was consulted as to how they could get licences for these carnivals. So, there seems to be some difference of opinion on this point, and I shall make further inquiries into it. For the present I should like to make it perfectly clear to the Council that we do not license gambling and all the orders that we have issued instruct the Commissioner of Police to do his best to stop gambling. The position about these carnivals appears to be that unless an offence under the Gambling Act is committed, you cannot stop people from taking part in the games that are carried on in these carnivals. Then you are up against the legal question whether a game is a game of chance or a game of skill, and it is not an offence unless it can be proved to the satisfaction of the courts that it is not a game of skill but a game of chance. Now I'll let you into a secret. The orders that we have issued are that if there is any doubt whether a game is a game of skill or a game of chance, the benefit of the doubt is not to be given to the men concerned in the game. They are to be prosecuted and to prove their innocence to the satisfaction of the court. I doubt if the lawyers in this Council will agree that this is fair, but I think the moralists will support us in this.

Then, there is the other point regarding police in action in the matter. We cannot expect the police to watch all the games all the

time. I think that most of you will agree that theoretically it is a game of skill to shoot at a target with an air-gun, and nobody will claim that it is a game of chance, though as far as any shooting is concerned it would be a game of chance. But what happens generally in these places is that immediately the backs of the police are turned, these people start all sorts of side-bets in connection with this game of skill and unless you can run them in just at the time when these side-bets are going on, you cannot get them convicted under the law. The whole problem is one of supervision——

[Here the time-limit for the discussion of the demand under the head "9A—Scheduled taxes" was reached.]

The motion of Munindra Deb Rai Mahasai was put and lost.

The motion of Babu Satish Chandra Ray Chowdhury was then put and a division taken with the following result:—

AYES.

Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Khan Bahadur Maulvi Ali-muzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Das, Rai Bahadur Kamini Kumar.
Eusufji, Maulvi Nur Rahman Khan.
Ghose, Dr. Amulya Ratan.
Guha, Babu Prafulla Kumar.
Guha, Mr. P. N.
Hakim, Maulvi Abdul.
Hossain, Nawab Musharruf, Khan Bahadur.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamiruddin.
Khan, Mr. Razaur Rahman.
Maiti, Mr. R
Mittra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Nag, Reverend S. A.
Poddar, Seth Hunuman Prasad.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Rai Mahasai, Munindra Deb.
Ray, Babu Khettar Mohan.
Ray, Babu Nagendra Narayan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hosini.
Roy, Babu Satyendra Nath.
Ray, Mr. Sarat Kumar.
Roy Choudhuri, Babu Hem Chandra.
Saadatullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Suhrawardy, Mr. H. S.

NOES.

Armstrong, Mr. W. L.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Bartley, Mr. C.
Basir Uddin, Khan Sahib Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Rai Bahadur Satyendra Kumar.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Sueli Kumar.
Ghose, the Hon'ble Sir B. B.
Ghuznavi, the Hon'ble Alhadj Sir Abdel-karim.
Gilchrist, Mr. R. N.
Gurner, Mr. C. W.
Kerr, Mr. W. J.

Khan, Maulvi Amin-uz-Zaman.
Marr, the Hon'ble Mr. A.
Mallick, Mr. Mukunda Behary.
Nazimuddin, the Hon'ble Mr. Khwaja.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Ray, Babu Amulyadhan.
Ray, Mr. Saileswar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Mr. S. R.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.
Wordsworth, Mr. W. C.

Ayes being 47 and the Noes being 38, the motion was carried.

The motion that a sum of Rs. 15,000, as amended by the Council, be granted for expenditure under the head "9A—Scheduled taxes" was then put and agreed to.

[At 6-20 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m.]

XIII, 15, 15(1), 16 and 55—Irrigation.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 32,93,000 be granted for expenditure under the heads "XIII—Irrigation—Working expenses," "15—Other revenue expenditure financed from ordinary revenue," "15 (*I*)—Other revenue expenditure financed from Famine Relief grants," "16—Construction of Irrigation, Navigation, Embankment and Drainage Works financed from Ordinary Revenue" and "55—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue."

Owing to the financial crisis, the budget for next year has been framed as economically as possible, and this Department's demand for next year's grant is Rs. 11,90,000 less than what was sanctioned by the Council for the current year. This reduction is due principally in the first place to the cut in the salaries of regular and temporary establishment, secondly, provision of smaller sums for works—Damodar and Bakreswar Canals under head "55A," thirdly, the postponement of important schemes, and retrenchment of temporary establishment.

It has not been possible to provide for any new major works in the next year's budget on financial grounds——

Maulvi SYED MAJID BAKSH: On a point of order, Sir, under heads 15(*I*) and 16 there is no grant in the Budget; how can the Hon'ble Member move for a demand under these heads?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: All expenditure this year under heads 15(*I*) and 16——

Mr. PRESIDENT: Is not the demand quite clear, or what?

Maulvi SYED MAJID BAKSH: The Hon'ble Member is demanding a grant under heads for which no provision has been made in the Budget, page 17 of the Red Book.

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: It is all quite clear. I shall explain it presently.

Maulvi SYED MAJID BAKSH: But if you will turn to pages 48 and 49 of the Red Book you will find the grant is nil there.

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: What I did was that I merely read out this demand from the printed list of business.

Maulvi SYED MAJID BAKSH: If you will consult this red book, it makes it quite clear. Here the grant is demanded under 15(*1*) and 16, but in the Red Book, the grant under those heads is nil. Therefore, if the Hon'ble Member moves for the grant and gets it under these heads, it would mean that he is demanding for a grant for which there is no provision in the Budget.

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: There is a misunderstanding about the whole thing, which is the result of the printing of this demand in the way it has been done. As a matter of fact, the demand for which I am moving is this:

"That a sum of Rs. 32,93,000 be granted for expenditure under the heads 'XIII—Irrigation—Working expenses,' '15—Other revenue expenditure financed from ordinary revenue' and '55—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue.' "

I think this is now clear. As I have said, it has not been possible to provide for any new major works in the next year's budget on financial grounds. Only a few small works of importance, such as, firstly, the protection of the Subdivisional Officer's office at Gopalpur costing Rs. 852 by revetment of the bank, secondly a tube-well at Kulti costing Rs. 2,258 and thirdly, new surveys costing Rs. 6,000 have been provided. The Subdivisional Officer's office at Gopalpur has been threatened with erosion, and protection is immediately necessary. At Kulti there is a Sectional Officer with his staff and *lock khalasis*. The place being saline, there is no source of drinking water in the locality, and it was not possible to remove the sectional headquarters

in the public interest. As regards the provision of Rs. 6,000 for surveys, it includes Rs. 990 for reconstruction of a foot-bridge at Gopalpur on Distributary No. II—Eden Canal. The bridge is a necessity for public convenience. The remainder is for surveys in connection with the irrigation and drainage problems of the province and is the least that must be provided to meet the urgent requirements under the head.

As regards works in progress, provision has been made for completing the Sectional Officer's quarters at Mowa, and for certain works in connection with the Salbund Weir remaining to be done. The completion of the canal bridges now under reconstruction, such as Alipore, Narkeldanga, Manicktola, Belliaghata and Chitpore, is of utmost importance. Provision has therefore been made in the next year's budget for the Government's share of the cost of these bridges. I may explain here that these bridges have been built by the Calcutta Improvement Trust, and this is Government's share of the cost. Funds have been provided to continue the work of reconstructing Ultadanga Bridge over the New Cut Canal and to carry on surveys now in progress.

Nothing has been provided under head 16 in view of the financial position. This, I think, makes clear what was referred to by Mr. Majid Baksh.

Under head "55A—the next year's demand for works—Damodar Canal has been based on anticipated requirements as far as can be foreseen at present. The Bakreswar project has been completed and the provision in the next year's budget is for meeting the liabilities and clearing up the accounts.

As for maintenance and repairs, tools and plant, provision has been made after curtailment of all avoidable expenditure as a measure of economy. Provision made for establishment is the actual requirement after 10 *per cent.* cut in salaries.

Now, Sir, as regards the Waterways Bill, it was hoped that the Bill would have been introduced by now, but Government are not yet satisfied with the financial aspect of the proposal. As regards what has been done since I spoke on the subject in the last budget session of this Council, I may begin by saying that 17 commercial and public bodies were consulted, and I gave a list of all these bodies on the last occasion. The views of some of the important of these bodies were received by last March. Before the receipt of all the replies, orders were passed to put up the case as it was, with notes. And this was done. The matter had then to be examined by the Finance Department, who pointed out the necessity for a more detailed estimate and for clearing up a number of points. At the end of May last, the officiating Chief Engineer was called on to prepare a revised estimate,

and to examine a number of further points. His report was not received till about the end of June. After discussion, the officiating Chief Engineer altered his estimate by about 6 lakhs. But the revised estimate was not submitted to me till about the end of October last.

A detailed estimate was to be prepared by the officiating Chief Engineer, and after considerable alteration has been made, the case was submitted to Government as a whole. Government, while approving of the general principles, are not yet satisfied with the financial aspect, as it will involve Government in a loss in receipts without corresponding decrease in expenditure. The formation of the Trust will not make it possible to reduce the Irrigation Department by much. In fact, the Irrigation Department Expert Committee pointed out that it was necessary to expand the Irrigation Department, even after the Trust was formed. The proposal is now being scrutinised by the Finance Department. It is hoped, however, that it will soon be possible to introduce the Bill, and thereafter have it examined by a Select Committee of this House. The real difficulty has been the financial aspect of the Bill, and I can assure the members of this House that a great deal of care has been taken to look very carefully over all the figures put up, and to try to really get together somethin' which will be a correct estimate of the position.

I can assure the House that a great deal of time has been given in looking into the various figures to arrive at a correct estimate of the position. Further, the difficulty was the enhancement of taxes and revenue from various sources including what I may say the charges to be realised from the Steamer Companies. As regards that, I am glad to find that Mr. Leeson who represents the Steamer Companies has just taken his seat in this Council, and who, I hope, will render valuable help in solving the difficulties. Well, Sir, it was my privilege to state to the members of this House last year something about the Waterways Trust, and what I visualized then about improving the waterways of Bengal is going to be realised in the near future. It is known to all what great improvement has been effected by the Calcutta Improvement Trust. My idea was that we should be able to create a Trust of the kind proposed which will look after the major waterways of Bengal and will look after all questions which concern navigation. As a matter of fact, when the Expert Committee was appointed, that Committee approved also the question of separating navigation from other activities of this Department. I think the Waterways Trust will begin to function in the near future, as I hope to introduce a Bill shortly when it will be examined by a Select Committee of this House. It is perfectly true that our waterways are not functioning properly. It is also perfectly true that a serious attempt had not been made up till now to tackle this problem. But it is obvious to the members that the problem is very difficult for the

Irrigation Department, understaffed as it is, to really look after such a vast problem as navigation. Therefore, it has been decided that navigation should be controlled by the proposed Waterways Trust.

Sir, I should like to add a few words in connection with the water-hyacinth problem. I find that some members of the House have raised again that perennial question, and I am glad to say again, as I said on the last occasion, that it is not properly the function of the Irrigation Department to carry on a holy or unholy war against water-hyacinth. Various functions are distributed amongst various Departments of Government. This is mainly the concern of the Agriculture and Industries Department. But I may mention that in spite of that, when the proposed Waterways Trust is created, I hope it will also take up the question of destruction of the water-hyacinth. I may also say that Government during the last few years have been making experiments in various ways for eradicating this evil and the conclusion they have come to so far is that it can only be done by man-handling. To me it has been a great pleasure to read in the press that a certain professor of the Calcutta University has devised a scientific method of tackling this problem. I hope his experiment will materialise and if it does, this together with the activities of the Waterways Trust that is going to be formed, will be brought into action in eradicating this pest. So far back as 1927-28, when I made inquiries, and discovered that in one or two districts, particularly the district of Faridpur, where this pest was much in evidence, the damage caused to agriculture alone amounted to about Rs. 40 lakhs. So it is obvious that this pest must be eradicated as soon as possible and that this will be one of the activities of the Waterways Trust.

Babu SATISH CHANDRA RAY CHOWDHURY: May I know what is the name of the professor referred to?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Dr. H. K. Sen of the Calcutta University. His discovery, if it proves successful, will be of great benefit to the province. As I said, one of the functions of the Waterways Trust will be to carry out the eradication of water-hyacinth. Therefore, I would deem it a great privilege if the Council would help me in introducing this Bill in the near future as soon as it would be ready. As I have already said, we have not been sitting idle over it. We have been examining it and we are really trying to put it on a sound financial basis. It is no use coming to the House with a Bill when the financial side of it has not been fully examined. *Festina lente!* It is better that there should be some delay than that it should be brought before the House in an incomplete form. That explains the delay, and I hope the Council will realise their responsibility and extend their help to me.

With these words, Sir, I beg to move my motion.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 9,40,000 under the head "15—Irrigation—B—Navigation, Embankment and Drainage Works" be reduced by Rs. 100 (to draw attention to the deplorable condition of the rivers Chandana and the Upper Coomar in the district of Faridpur and the dilatoriness of the Department with regard to the scheme for the improvement of these rivers).

Sir, my object in moving this motion is to draw attention to the deplorable condition of the rivers Chandana and the Upper Coomar in the district of Faridpur and the dilatoriness of the Department with regard to the scheme for the improvement of these rivers. Sir, there is no denying the fact that the great problem of Bengal is its dead and dying rivers and so far as that problem is concerned, the whole House is, I think, of one view. Wherever we see that the rivers are dead or dying, we also see that the country as a whole is either dead or dying. Now this problem is obviously more acute in West Bengal than in Eastern Bengal. But though that is a fact, I think it is high time for the Government to take a warning that Eastern Bengal will very soon share the fate of West Bengal if timely steps are not taken. The district of Faridpur is an instance in point. It is a district in Eastern Bengal but except the two great rivers—the Padma and the Madhumati—which pass by the two sides of the district, the interior of the district is sharing the fate of many of the West Bengal districts. The Chandana and the Upper Coomar are the two rivers which pass through the interior of the district and the areas that are washed by these two rivers were once highly prosperous. But now as these two rivers are almost dead, we see instead of the prosperity of the past, the whole area is practically a desert. It is the hot bed of malaria, dysentery and other diseases and the once flourishing agriculture of this area has almost disappeared. Now the Government also realises that it is time that something should be done towards the resuscitation of these two important rivers of the district and we have been given assurances that the Hon'ble Member-in-charge was anxious to do something towards their improvement. But it appears that besides the assurances given, nothing practical has been done by the Department towards the fulfilment of the promise once made. Unless the Government is up and doing and unless something is done in real earnest, I think there is no good in holding out promises. I think it is the most important of all the Departments that are administered by the various members of the Government and unless some more attention is paid to the working of this Department and unless something is done in right earnest, it is no use wasting a huge amount of money on this Department. With these words, Sir, I move my motion.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Sir, my friend Maulvi Tamizuddin Khan has my warm sympathy. I am at one with him in thinking that we should do something in Faridpur. But why Chandana and Upper Coomar alone? There are many rivers like the Chandana which are dying. He has also said that nothing has been done by Government—even so much as a gesture of sympathy—in redeeming their promise, so far as Chandana is concerned. I may tell him that Government actually started surveys and it will be quite fresh in the memory of the members of this House that the Irrigation Department has so long been occupied with elaborate schemes only. So far as I am concerned, I was anxious to change that policy. It was no use spending time preparing costly schemes costing Rs. 10 or 20 lakhs when we have no money to put through the schemes. The scheme regarding the Chandana has so long been held up. As I was saying a few minutes ago, it is all a question of £. *s*. *d*. I visualize that as soon as the proposed Waterways Trust begins to function, it will attempt an improvement in this direction. Its activities will not be confined to one part of Bengal but will extend throughout the province. I am sure when that time comes, my friend with his usual eloquence will advocate the cause of Chandana and approach the Waterways Trust and make them take up the question of the Chandana river. The whole thing is a question of £. *s*. *d*. and without that nothing can be done.

On this assurance, I hope the member will withdraw his motion.

The motion of Maulvi Tamizuddin Khan was then, by leave of the Council, withdrawn.

Adjournment.

The Council was then adjourned till 3 p.m. on Thursday, the 17th March, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 17th March, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 106 nominated and elected members.

Oath or affirmation.

The following member made an oath of his allegiance to the Crown:—

Mr. R. H. WORTHINGTON.

Starred Questions

(to which oral answers were given).

Bankura Zilla School.

*139. **Babu SATYA KINKAR SAHANA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing the present number of high English schools in the—

(*i*) district of Bankura; and

(*ii*) town of Bankura (with names)?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) how many students from the high English schools in the district of Bankura, during the last ten years, were placed amongst the first ten successful candidates; and

(*ii*) how many received other scholarships?

(*c*) How many of the successful students who were placed amongst the first ten or received other scholarships were from the Bankura Zilla School?

(*d*) Will the Hon'ble Minister be pleased to state whether they have come to any decision as to whether the object with which the Bankura Zilla School was started is being fulfilled under its present condition?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Minister be pleased to state the reasons for spending any money from the provincial revenues towards its maintenance?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) (*i*) and (*ii*) A statement showing the number and names of the high English schools in the district and town of Bankura is laid on the table.

(*b*) (*i*) Four.

(*ii*) Thirty.

(*c*) None from the Bankura Zilla School was placed amongst the first ten successful candidates. Two from the school received third grade (district) scholarships.

(*d*) The object is being fulfilled. Government do not recognise that winning of scholarships is the only criterion of the educational efficiency of a school.

(*e*) Does not arise.

Statement referred to in the answer to clause (a) of starred question No. 139.

Bankura district.

A.—The following schools are in the Bankura district:—

1. Bankura Zilla School.
2. Bankura Wesleyan Collegiate School.
3. Bankura Hindu School.
4. Ramsagar High English School.
5. Tiluri High English School.
6. Maliara High English School.
7. Khatra High English School.
8. Harmasra High English School.
9. Vishnupur High English School.
10. Kuchiakole High English School.
11. Rajgram High English School.
12. Sonamukhi High English School.
13. Palasdanga High English School.
14. Patrasayer High English School.
15. Rol High English School.
16. Indas High English School.
17. Kotalpur High English School.
18. Bamnia High English School.

B.—The following schools are located in the town:—

1. Bankura Zilla School.
2. Bankura Wesleyan Collegiate School.
3. Bankura Hindu School.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state the object that is being fulfilled?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Turning out good scholars.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state what are the other criteria except that of standing high at examination for judging the educational efficiency of a school?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Moral character, discipline and *esprit de corps* of the school.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state why the Government Zilla School is being maintained at Bankura while there are so many schools in the district?

Mr. PRESIDENT: Do you really want the Hon'ble Minister to answer that question?

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to state if a comparison has been made between the character of the students of the Zilla School with that of students of other schools?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: We maintain a very high standard of character.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state what is the percentage of passes from that school, apart from scholarships?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state if there is any Government Technical School in that district?

Mr. PRESIDENT: I think that question does not arise out of this.

Water-supply of Vishnupur subdivision.

*140. **Babu SATYA KINKAR SAHANA:** (*a*) Is the Hon'ble Minister in charge of Local Self-Government Department aware—

(*i*) that the rural areas of the Vishnupur subdivision of the Bankura district are very malarious;

(*ii*) that there the people are too poor to take adequate quantity of quinine and too ignorant to follow the preliminary hygienic rules; and

(*iii*) that want of pure drinking water is one of the chief causes of this unhealthy condition of the place?

(*b*) If so, what steps, if any, have the Government been taking or has it been contemplating to take for the sanitary improvement of the subdivision?

(*c*) Is the Hon'ble Minister aware that the villagers of the subdivision use mainly tanks and *bunds* for drinking and other purposes?

(*d*) If so, what steps, if any, have been taken for the supply of pure drinking water by the re-excavation and reservation of tanks and *bunds*?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) (*i*) The dispensary sickness figures and the mortality figures of the *thanas* of the Vishnupur subdivision for the last ten years (1921-1930) show that the area is unhealthy, some years being worse than others. Within the last ten years, malaria incidence was highest in 1921, then it fell off till 1925, after which it rose steadily till 1930. In 1917, 7,405 children were examined by Dr. Sur, who found 2,571 or nearly 35 *per cent.* suffering from enlarged spleens.

(*ii*) The Vishnupur subdivision may be said to be no worse off in this respect than the rest of Bengal.

(*iii*) Good water contributes to good health. In Vishnupur subdivision there are several big tanks and *bunds* which may be utilised for good drinking water.

(*b*) Vishnupur subdivision participates in the public health organisation of the province, the immediate responsibility for public health work lying here as elsewhere with local authorities, namely, district and local boards and municipality. It is reported that six sanitary inspectors in charge of rural health units are now employed in this subdivision.

(c) Government have no special information on this point but the practice is common.

(d) The allotment from the grant for rural water-supply appears to have been spent in Bankura district on wells rather than *bunds* or tanks. The district board have not applied for any loan under the water-supply loans scheme.

Registrar of Assurances, Calcutta.

***141. Dr. NARESH CHANDRA SEN GUPTA:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that the Registrar of Assurances, Calcutta, is entitled only to holidays under the Negotiable Instruments Act?

(b) Is it a fact that the present officiating Registrar availed himself of the entire *Puja* vacation?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Minister be pleased to state whether he had obtained leave for the days not included in the list of holidays under the Negotiable Instruments Act?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (a) The office of the Registrar of Assurances, Calcutta, is open on holidays other than those under the Negotiable Instruments Act, but under Government's order it is sufficient if either the Registrar or the Sub-Registrar attends on such holidays.

(b) Yes; the Sub-Registrar was in charge.

(c) He did not obtain leave as under the arrangement referred to in (a), this was not necessary.

Supply of quinine from Government of India's stock.

***142. Babu HEM CHANDRA ROY CHOUDHURI:** (a) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that Bengal is proverbially a malaria-stricken province?

(b) Will the Hon'ble Minister be pleased to lay on the table a statement showing the amount of cost incurred by the Government for fighting the disease during the last three years?

(c) Is the Hon'ble Minister aware—

(i) that the Government of India has a large stock of quinine at its disposal; and

(ii) that the Government of India is ready to dispose of the same stock at a very reduced price?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Bengal Government approached the India Government for getting sufficient quantity of quinine at a moderate price? If so, with what result?

(*e*) Do this Government intend to get a sufficient supply of quinine from the India Government at a moderate price?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) Malaria is prevalent in Bengal.

(*b*) It is impossible to give complete figures of this kind, as expenditure, direct and indirect, on combating malaria extends through so many heads of the Public Health and Medical Budget, and is often indistinguishable financially from other aspects of medical and public health work, as for instance in the pay of Medical and Public Health officers.

(*c*) (*i*) Yes.

(*ii*) It is believed that no final decision has been reached.

(*d*) No.

(*e*) No. The Government of Bengal have a large stock of quinine of their own.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Minister be pleased to state if he knows that there is a great demand in the country for free distribution of quinine or at least for reduction of its price?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: There is a great demand for free distribution of everything; why of quinine only?

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble minister be pleased to state whether his reply to question (*c*) (*ii*) is based on any correspondence with the Government of India?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes, I believe it is based on correspondence with the Revenue Department of this Government.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Minister be pleased to give us the date of this correspondence?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It is for the Revenue Department to do so; I cannot.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state with regard to answer (*e*) if the large stock of quinine referred to is due to quinine being sold at a high price?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It is difficult to give a reason for that.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to say if he is prepared to clear his stock at a very reduced price?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: That is a matter which rests with the Revenue Department.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Minister be pleased to state if he is ready to purchase from the Government of India their stock of quinine if it is disposed of at a reduced price?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I do not see any reason why this Government should purchase from the Government of India when they have their own stock.

Babu HEM CHANDRA ROY CHOUDHURI: Why not purchase if offered at a low price?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It is a hypothetical question and I cannot answer it.

Arrests for holding meeting at Ilaspore Bazar, Midnapore.

***143. Mr. R. MAITI:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that several persons were arrested for holding a meeting at Ilaspore Bazar on 13th January, 1932, as well as for picketing at Bhimeswari *mela* on 16th January, 1932, under police-station Bhagabanpore in the district of Midnapore?

(*b*) Is it a fact that they were assaulted at the *thana* by the *thana* officer?

(*c*) Is it also a fact that one Babu Nagendra Nath Bera, *zamindar* of Paikbheri, was one of the arrested persons?

(*d*) Is it a fact that he was subjected to indecent insults and assaulted, resulting in several injuries to his person?

(*e*) Is it a fact that he has petitioned the District Magistrate to this effect after having been medically examined in the jail where he was detained?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, has been taken by the District Magistrate on the said petition?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) No.

(*c*) Yes.

(*d*) No.

(*e*) and (*f*) Yes, and the latter ordered an inquiry and on receipt of the inquiry report decided that no further action need be taken.

Mr. R. MAITI: Will the Hon'ble Member be pleased to state with regard to answer (*c*) where he was taken?

The Hon'ble Mr. W. D. R. PRENTICE: He was taken to the *thana* and kept there for some time.

Mr. SYAMAPROSAD MOOKERJEE: What was the report of the medical examination?

The Hon'ble Mr. W. D. R. PRENTICE: I have not got a copy of it.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'b'le Member be pleased to state the name of the officer who held the inquiry?

The Hon'ble Mr. W. D. R. PRENTICE: The Superintendent of Police.

Mr. R. MAITI: Will the Hon'ble Member be pleased to state what the report was about?

The Hon'ble Mr. W. D. R. PRENTICE: The report was about the alleged complaint of assault.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state what was the substance of the report of the inquiry?

The Hon'ble Mr. W. D. R. PRENTICE: The substance was such that the District Magistrate was of opinion that no further action was necessary.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state if he is not aware of the substance of the report?

The Hon'ble Mr. W. D. R. PRENTICE: I have not got the report.

Mr. R. MAITI: Will the Hon'ble Member be pleased to state if the *thana* officer was transferred elsewhere? If so, was it due to the result of the inquiry?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Bengal (Rural) Primary Education Act of 1930.

***144. Maulvi ABDUL CHANI CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state how far progress has been made to put the Bengal (Rural) Primary Education Act of 1930 into effect?

(*b*) When is it expected that the Act will be brought into operation?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Rules are being framed, estimates of the cost have been prepared and the other preliminaries have been or are being worked out.

(*b*) In view of the present financial and economic condition of the province, Government regret that it is not possible to bring the Act into full operation but they are considering the possibility of introducing it partially in those districts where the district boards are willing to make over to the district school boards to be formed under the Act the amount now spent by them on primary education.

The full Act cannot be brought into operation until conditions improve and it is impossible to forecast when this will be, but, by taking up the preliminary spade work, Government has ensured that there will be no delay in giving effect to the Act, as soon as circumstances permit.

Maulvi ABUL KASEM: Will the Hon'ble Minister be pleased to state whether he means by "economic condition" the economic condition of the people to pay the tax or the economic condition of the Government to make the contribution?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Of both.

Maulvi ABUL KASEM: Will the Hon'ble Minister be pleased to state if he knows that there is a strong feeling among the cultivating classes, the poorer classes, that the Act should be enforced immediately, in spite of the fact that they will be made to pay for the tax?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am aware of the fact. I am also aware that the collection of cesses in all the district boards has been very much reduced and the condition of the tenants is such that it is very doubtful whether they can pay any more if the cess is imposed.

Maulvi ABUL KASEM: Will the Hon'ble Minister be pleased to state if it is a fact that a special officer was asked to make preliminary arrangements for the enforcement of the Act and that he was doing spade work when his work was suspended?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I must ask for notice; so far as I know, his work is not suspended.

3-15 p.m.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state the names of the districts in which school boards are proposed to be formed?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: These will be formed in those districts where the district boards are willing to make over to the district school boards the amount now spent by them on primary education.

Babu JITENDRALAL BANNERJEE: What are the agencies which are carrying on the spade work?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The officers under the Director of Public Instruction.

Maulvi ABUL KASEM: Will the Hon'ble Minister be pleased to state if any district boards in Bengal have been communicated with?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: All the district boards excepting Darjeeling.

Agricultural loans given in the Tangail subdivision.

***145. Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing, *thana* by *thana*, and union by union,—

(*i*) the total amount of agricultural loans given away up to date in the Tangail subdivision;

(*ii*) the total number of persons who have received the loans;

(*iii*) the maximum amount of loan advanced to a single individual; and

(*iv*) the minimum amount of loan received per head?

(*b*) Is it a fact that hundreds of people are daily coming in to the headquarters station for such loans only to be disappointed for want of funds at present?

(*c*) Have the Government ascertained what minimum amount of money is absolutely wanted for agricultural loans in the subdivisions?

(*d*) Do the Government propose to advance more monies for agricultural loans and test works in the near future?

(*e*) Is the Hon'ble Member aware that very little attempt is made to make the agricultural loans popular and acceptable?

(*f*) If the answer to (*e*) is in the affirmative, are the Government considering the desirability of issuing necessary instructions to all public officers?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) A statement is laid on the table.

(*b*) No.

(*c*) Yes. It is reported that no more money is at present required for agricultural loans.

(*d*) Yes, if necessary.

(*e*) No. The conditions on which loans are given are prescribed in the Loans Manual.

(*f*) Does not arise.

Statement referred to in the answer to clause (a) of starred question No. 145, showing the distribution of agricultural loans in the Tangail subdivision, thana by thana, and union by union, since July, 1931.

Tangail police-station (Rs. 9,397)—

Megra Union No. I—Rs. 456.
Gala Union No. II—Rs. 724.
Gharinda Union No. III—Rs. 1,000.
Pathrail Union No. V—Rs. 850.
Dildurar Union No. VI—Rs. 701.
Atia Union No. IX—Rs. 901.
Silimpur Union No. X—Rs. 365.
Dainya Union No. XII—Rs. 853.
Baghil Union No. XIV—Rs. 1,547.

Bashail police-station (Rs. 8,166)—

Fulki Union No. I—Rs. 1,727.
Kawaljani Union No. II—Rs. 995.
Kanchanpur Union No. VI—Rs. 1,246.
Bashail Union No. VII—Rs. 971.
Kashil Union No. VIII—Rs. 1,000.
Habla Union No. IX—Rs. 1,227.
Dubail Union No. X—Rs. 1,000.

Mirzapur police-station (Rs. 9,995)—

Mehara Union No. I—Rs. 1,650.
Jamurki Union No. II—Rs. 1,000.
Mirzapur Union No. III—Rs. 1,000.
Banail Union No. IV—Rs. 1,000.
Anaitara Union No. V—Rs. 950.
Warshi Union No: VI—Rs. 1,000.
Bahuria Union No. VII—Rs. 995.
Gorai Union No. VIII—Rs. 1,000.
Asgana Union No. IX—Rs. 800.
Tarapur Union No. X—Rs. 600.

Kalihati police-station (Rs. 4,893)—

Salla Union No. II—Rs. 757.

Ellenga Union No. III—Rs. 1,221-8.

Kokdohara Union No. VII—Rs. 723-8.

Balla Union No. VIII—Rs. 1,539-8.

Bhondeshwar Union No. IX—Rs. 652.

Tangail police-station—Rs. 9,397.

Bashail police-station—Rs. 8,166.

Mirzapur police-station—Rs. 9,995.

Kalihati police-station—Rs. 4,893-8.

Gopalpur and Nagarpur police-stations—Rs. 15,549. (Figures for unions not yet available.)

NUMBER OF PERSONS WHO RECEIVED LOANS.

Tangail, Bashail, Mirzapur and Kalihati police-stations—Rs. 4,979.

Gopalpur and Nagarpur police-stations—Rs. 2,500 (approximately).

Maximum advanced to an individual—Rs. 10.

Minimum—Rs. 4.

Maulvi NUR RAHMAN KHAN EUSUFJI: Will the Hon'ble Member be pleased to give an answer to my question (*a*) (*ii*)? I wanted to know the number of persons who received the loans. The answer given is Rs. 4,979.

The Hon'ble Sir B. B. GHOSE: It is evidently a misprint.

Maulvi NUR RAHMAN KHAN EUSUFJI: Will the Hon'ble Member be pleased to state what is the source of his information as regards answer (*b*)?

The Hon'ble Sir B. B. GHOSE: The local officers.

Dr. NARESH CHANDRA SEN GUPTA: With regard to answer (*c*), may I know who is the officer who has given the information?

The Hon'ble Sir B. B. GHOSE: The Collector who gets information from his subordinates and then sends it through the Commissioner.

Dr. NARESH CHANDRA SEN GUPTA: Has any report been made by the District Agricultural Officer?

The Hon'ble Sir B. B. GHOSE: The District Agricultural Officer has got nothing to do with this. The Subdivisional Officer and the Collector are the authorities to deal with such matters.

Dr. NARESH CHANDRA SEN GUPTA: Has the District Agricultural Officer nothing to do with reporting about the condition of agricultural affairs in the district?

The Hon'ble Sir B. B. GHOSE: Nothing about agricultural loans.

Maulvi SYED MAJID BAKSH: With respect to answer (*b*) will the Hon'ble Member be pleased to state whether he has got definite report that the people did not want any loan.

The Hon'ble Sir B. B. GHOSE: The answer is there.

Maulvi SYED MAJID BAKSH: Did he receive any report from any officer?

The Hon'ble Sir B. B. GHOSE: Yes. I have already said that the Collector and the Subdivisional Officer reported.

Dr. NARESH CHANDRA SEN GUPTA: Is the Hon'ble Member aware that in large portions of the Tangail subdivision the people are unable to purchase seeds for sowing during the ensuing season?

The Hon'ble Sir B. B. GHOSE: We advance money according to the reports of the Collector, and in this case it was reported that no more money was wanted.

Dr. NARESH CHANDRA SEN GUPTA: When was the money for buying seeds advanced?

The Hon'ble Sir B. B. GHOSE: I cannot give the date, but the report is that they do not want more money for purchasing seeds.

Dr. NARESH CHANDRA SEN GUPTA: Will he make further inquiries?

The Hon'ble Sir B. B. GHOSE: If there is any need for more money the Collector will report.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether he has visited any East Bengal districts to ascertain the economic conditions of the people there?

The Hon'ble Sir B. B. GHOSE: I visited several places, but I do not know what the member actually refers to.

Unstarred Question

(answer to which was laid on the table).

Bengal (Rural) Primary Education Act.

80. Mr. A. F. M. ABDUR-RAHMAN: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) whether the Government are working out the preliminaries for giving effect to the Bengal (Rural) Free Primary Education Act of 1930;

(*ii*) whether rules under the Act are being prepared; and

(*iii*) whether it has been decided to postpone bringing the Act into operation?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) Yes.

(*ii*) Yes.

(*iii*) Government are exploring every avenue for an early enforcement of the Act. The present financial and economic conditions preclude the possibility of bringing the Act into immediate operation. Government are, however, giving their anxious consideration to a partial scheme and inquiries are being made into the possibility of introducing it in those districts where the district boards are willing to make over to the district school boards (to be formed under the Act) the amounts now spent by them on primary education.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state whether Government intends to spend anything out of its own funds towards the formation of school boards?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state what the Government intends to do with the money that it has asked the district boards to make over to it?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: To be spent by the district school boards.

Maulvi TAMIZUDDIN KHAN: On what account?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: On existing primary schools.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Minister be pleased to state how long Government will go on considering the possibility of introducing the scheme partially in the districts?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: As soon as we get satisfactory replies from the district boards concerned, we shall go ahead with the scheme.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is the Hon'ble Minister going to follow the line of least resistance and bring the Act into operation in those districts where the people are anxious that the Act should be enforced and are prepared to pay expenses?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have already pointed out to the hon'ble members that the district boards are finding great difficulty in realising cess, and I do not see how the levy of further cess will improve the situation or bring in more money.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Minister consider the possibility of introducing this Act partially in some districts if a scheme is evolved by which the expenditure is kept to the level of the existing expenditure incurred on primary education?

(No answer.)

Point of order.

Maulvi SYED MAJID BAKSH: On a point of order, Sir. Yesterday I raised a point of order regarding the demands of grants under Irrigation; but I did not get any decision on the point of order.

Mr. PRESIDENT: The Hon'ble Member in charge of the Department explained the whole thing to you. The figure of his present demand and that of the demand as it appears in the budget are identical. It does not matter if there is no expenditure under any particular head, so long as the total expenditure, as recorded in the budget, equals the total amount of the demand.

Maulvi SYED MAJID BAKSH: My difficulty is that in the first place——

Mr. PRESIDENT: Order, order, there can no longer be any difficulty. It is quite clear.

DEMANDS FOR GRANTS.

The discussion under the head "XIII, 15, 15 (7), 16 and 55—Irrigation" was then resumed.

The following motions were called but not moved:—

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure, etc.' be reduced by Rs. 1,000 (to urge the establishment of a River Division at Dacca)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenue' be reduced by Rs. 1,000 (to draw attention to the absence of expenditure to revive the dead and dying streams of East and North Bengal)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure, etc.' be reduced by Rs. 1,000 (to draw attention to the failure of the Department to tackle the problems of the dead and dying rivers in Bengal with special reference to the condition of rivers and other waterways in the districts of Dacca and Mymensingh)."

3-30 p.m.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 10,17,000 under the head "15—Irrigation—Other revenue expenditure financed from ordinary revenue" be reduced by Rs. 1,000 (to draw attention to the failure of the department to tackle the outstanding irrigation problems of Bengal, *viz.*, water-hyacinth and the dead and dying rivers of Bengal with special reference to the condition of rivers and other waterways in the districts of Hooghly and Howrah).

Sir, I am fully aware of the present financial difficulties of the Government which perhaps may stand in the way of giving effect to the motion under discussion. But, Sir, such unprecedented financial crisis did not occur in the years that have passed away. There was no dearth of money to purchase the costly white elephants like the dredgers *Cowley*, *Burdwan* and *Ronaldshay* which absorbed a good portion of

the revenues of Bengal, not only on capital expenditure but also for their maintenance. If Bengal is to be saved, these products of engineering folly should either be disposed of or destroyed—the Bay of Bengal was deep enough to accommodate them under its bosom. The thing is that the money which could have been profitably utilised for the benefit of the people had been criminally wasted to meet the whims and caprices of those entrusted with the task of bettering the conditions under which the people lived. Sir, the dead and dying rivers of Bengal cried shame on any civilised administration. The fields of Western Bengal smiled with plenty and abundance nearly a century ago, but now they have assumed a desolate appearance. The responsibility for such a deplorable state of affairs cannot but rest with the Government which has miserably failed in the discharge of its primary duties to the people. I do not like to go into details. I simply state the facts as they are. West Bengal has turned into malaria-stricken and pestilential areas and the population has decreased to an alarming extent. Practically nothing has been done to save them. We held high hopes when Sir William Wilcocks visited this country. We hailed him as our saviour. The man who conceived the Aswan Dam and turned a desert into a fertile country was the right man to save Bengal. He thoroughly examined the country, studied its conditions and drew out a practical scheme, but it has been relegated to the cold shade of neglect and indifference as if it came from a wild visionary. He guaranteed to revivify Bengal for 4½ to 6 crores of rupees. He staked his worldwide reputation to work out the scheme. But the Government is as adamant as ever in disregarding the true interests of the people. Had they been genuine in their professions, they would not have hesitated to raise a loan to bring back health, wealth and prosperity which seemed to have left the country for good. The amount was insignificant in comparison with the immense benefit expected out of it. Our Hon'ble Irrigation Member had been to Egypt recently and must have been highly impressed with the achievements of Sir William Wilcocks in the countries now watered by the Nile. I am told that the man who conceived this grand project has become too old to be of any use to Bengal. But, Sir, the brain which conceived and matured the Nile scheme has also conceived the Bengal Irrigation scheme after visiting it and closely studying its conditions only a few years ago. Why not put him at the head and leave the work to his lieutenants?

Although comparisons are odious, may I be permitted to point out the wonderful achievements of the Irrigation Department of Bengal in comparison with some of the sister provinces in India? The latter by their unstinted efforts have succeeded in converting the arid and unfertile waste lands of Upper India into splendid granaries, while thanks to the callous indifference of our Irrigation Department—the

granaries of Bengal—the country of *Sujalang sufalang sasya samolang* of Bankim Chandra of revered memory—have turned into unproductive waste lands or marshy tracts well suited for the breeding of mosquitoes. Practically there are no productive irrigation works in Bengal. While the Punjab, the United Provinces and Madras are receiving returns on capital invested in irrigation works, our Government here have helped to impoverish the country by the whimsical vagaries of irrigation advisers. The mistakes committed in the past are beyond redemption.

It was however a happy augury that the man who sat as an incubus on the Irrigation Department has left the country for good. Now the whole responsibility rested with the Hon'ble Irrigation Member. We want to judge him not by his pliable words, but by his deeds. The opportunity is there. Let him come forward, seize it and rise equal to the occasion. Bengal is in the grip of death. Disease, death and desolation have devastated the countryside. Malaria, kala-azar, cholera, small-pox, tuberculosis and a host of others were wroughting havoc all around us. The resuscitation of the dead and dying rivers was the only remedy to revivify the dying nation. I should like to ask the Irrigation Member to leave his cosy seat for a few days and accompany me to some of the villages in West Bengal and I will prove to the hilt every word that I have said. Not a word has been exaggerated. Let him see the true picture with his own eyes. Even if he possessed a stony heart which he has not, it will surely melt away at the appalling nature of the mischief done by the callous indifference of his Department. Pray save the nation from imminent ruin. The remedy is in your hands. Apply it and Bengal will once again smile with plenty and abundance. Raise the requisite loan and we guarantee our whole-hearted support. Pray make an honest and sincere effort to bring back health, wealth and prosperity which has left the country for good and you will be the recipient of the choicest blessings of God, man and of generations yet unborn. With these few words I commend my motion to the acceptance of the House.

The following motion was called but not moved:—

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 10,17,000 under the head '15—Irrigation' be reduced by Rs. 500 (to impress upon the Government the utmost necessity of taking effective measures for solving the problems of the dead and dying rivers and water channels in Bengal)."

Rai SATYENDRA KUMAR DAS Bahadur: I beg to move that the demand of Rs. 10,17,000 under the head "15—Irrigation—Other revenue expenditure financed from ordinary revenues" be reduced by Rs. 100

(inadequate provision for improvement of rivers and other waterways in the districts of Dacca and Mymensingh).

Mr. President, Sir, I beg to place this motion before the House, and my reasons are very clear and simple.

Sir, it is notorious that the rivers of Dacca and Mymensingh districts, so far as the Irrigation Department is concerned, do not seem to have any existence at all. The Hon'ble Member who took pride last year on his having come from Mymensingh need not be reminded that the rivers are the life and source of all bounties for the people of those districts, nor how by gradual silting up of the rivers, the people are suffering in respect of their wealth and welfare, not to speak about conveniences of transport or of the occasional floods which devastate the countryside. Sir, it is high time that the Irrigation Department should devote some part of its attention to the rivers and waterways of these districts. For about a decade we are pressing before the Government our grievances in the matter of irrigation from all points of view. We were making constructive suggestions in our own way, but no remedy is forthcoming. What is more frightening is that there is no likelihood of any solution of this problem in the near future.

The Hon'ble Member will, of course, explain his difficulties. Speaking on a similar motion last year, he referred to the wrecking of his ministry, even sometimes quoted songs from the poets and so on and so forth, but what is the net result? Nothing—absolutely nothing. The Hon'ble Member says we do not help him with any constructive suggestion and in the same breath he confesses that he has got no fund to carry out any constructive programme. Is not the Hon'ble Member inconsistent—hopelessly inconsistent in all what he says? And, Sir, what the Hon'ble Member said in his explanation of the situation was not the correct statement of facts. There may be other famines in Bengal, but certainly there is no famine in our constructive suggestions to the Government. What is Sir William Wilcocks' plan? Is it not a masterly constructive suggestion? And what is the attitude of the Hon'ble Member to this plan? The Hon'ble Member in answer to this constructive plan, only quoted the destructive portion from Mr. Addams-Williams' criticism, which you, Sir, did not allow, if I remember aright, because it was not fair. To quote Addams-Williams against William Wilcocks is not the solution, is certainly not the thing which we want. But I find that the Hon'ble Member has developed his own plan, *i.e.*, the Waterways Trust, something like the Calcutta Improvement Trust. But where to find it? How to organise it? And how many years or centuries we are to wait for it? Sir, you cannot accuse the people if they in despair think that the Government is not serious about the irrigation problem and the Hon'ble Member hopelessly failed in his duties.

Sir, I beg to raise the old question once again. If you have got no fund, why do you keep the full staff? Why do you keep three white elephants—I mean the three expensive dredgers—when there is no function of dredging by the Government within the province? Why do you keep the dredgers? Sir, I submit my reasons are very clear and very simple. In all seriousness I beg of the Hon'ble Member to do one of the two things, *viz.*, either to find money to carry out the programme of irrigation or scrap the lot.

Maulvi TAMIZUDDIN KHAN: Sir, I beg to move that the demand of Rs. 10,17,000 under the head "15—Irrigation—Other revenue expenditure financed from ordinary revenues" be reduced by Rs. 100 (to criticise the irrigation policy of Government and its failure to tackle the vital problem of the dead and dying rivers of Bengal).

Sir, the issue that I want to raise is the irrigation policy of Government and its failure to tackle the vital problem of the dead and dying rivers of this province. This important question has been discussed on the floor of this House on various occasions, and I feel reluctant to make a speech of this subject; and also I do not think it is necessary to make a lengthy speech on this question, because the House is, I think, unanimous on the question that this is the most important problem to be solved, and that no time should be lost in taking early steps towards its solution. In view of this, I only want to ask a few questions of the Hon'ble Member, *viz.*, whether Government thinks that it is within the bounds of practical possibility, that the dead and dying rivers of the province can at all be revived; or, in other words, can Bengal be saved? If Government thinks that it is not impossible, that it is practicable, and that it is an urgent matter, whether Government intends to take early steps towards its solution. With these few words I commend my motion to the acceptance of the House.

Maulvi ABDUL HAKIM: Sir, I beg to move that the demand of Rs. 10,17,000 under the head "15—Irrigation" be reduced by Re. 1 (to urge the necessity of irrigation works in the district of Mymensingh and some other districts of East Bengal).

Sir, Bengal is primarily an agricultural country. More than 90 *per cent.* of the population of this province live by agriculture and the non-agriculturists too have to depend upon these agriculturists for their daily existence. The Department of Agriculture therefore deserves the special attention of Government for its all-round improvements.

The agriculture of Bengal can be improved by two ways—one way is the proper manuring of the soil, and the other way is its proper irrigation. The cultivators of Bengal have become so much poor that

they are unable both to manure or irrigate their lands. In America and other advanced countries, manures are prepared through scientific process and are supplied to the cultivators under the patronage of Government. Irrigation canals are also kept open to all cultivators there at the expense of Government.

Though not so fertile as the soil of Bengal, the American soil produces much more crops than that of our soil.

The main object of the Irrigation Department in every country should be to facilitate the ways of agricultural improvements. In Bengal the Irrigation Department has practically failed to achieve this end and it is more so in the districts of East Bengal. Practically no irrigation canals or such other works of irrigation have been done by Government in East Bengal and this is probably because the Hon'ble Member in charge of the Department also belongs to East Bengal, and I can emphatically assert that my own district Mymensingh as well as the districts of Tippera and Dacca have got a big potato from this Department (laughter), though irrigation works are absolutely required in many localities in these districts specially where *boro* paddy is largely transplanted, but is not grown well for want of proper irrigation. I have seen with my own eyes that thousands and thousands of acres of *boro* plantation are damaged every year in these districts for want of water. There are the Meghna and some other rivers near these extensive *boro* lands and these *boro* lands can be irrigated without much difficulty.

Most of my colleagues have tabled cut motions urging Government to resuscitate the dead rivers, but I would have been more glad if they tabled a resolution urging Government to devise means for improving cultivation by means of irrigation. There are also innumerable tracts of lands in Bengal where irrigation is required also for *aman* paddy and this *aman* paddy also is largely damaged for want of water in proper season. This year there was no rain in our district in proper season and as a consequence the *aman* paddy in our district has grown only half of its normal quantity. We are surprised to hear of the wonderful irrigation works in Egypt. The Government of Egypt have worked wonders in that country and have extracted crops from the desert lands on both sides of the river Nile by means of effective irrigation.

Another duty of Government is to destroy the water-hyacinth which has become a havoc in our lands and are damaging our paddy crop almost everywhere in Bengal. With proper manuring and effective irrigation India can produce a crop which can probably supply the foodstuff for the whole world. In the reign of Nawab Shaista Khan, not more than three hundred years ago, Bengal was so flourishing that rice sold there 8 maunds per rupee, and if irrigation works be started

in a comprehensive scheme it is expected that the cultivators of Bengal may again be as much flourishing as they were in the Moghul times. With these words I commend my motion for the acceptance of the House.

Dr. NARESH CHANDRA SEN GUPTA: It is almost usual to us, at any rate, very fashionable both from the official benches and from the opposition to assert that nothing is more important for the people than the work of this Department. The very life of the people depends upon the work of this Department in a country like Bengal. Yet, we had the word of the Government Committee which was appointed to report on the working of this Department presided over by Mr. Hopkyns that so far as three-fourths of the entire area of Bengal is concerned, it is almost an unknown factor to this Department, and with regard to the remaining fourth, the work that has been done has been piecemeal work. There has never been a proper and systematic hydraulic survey of the entire province; there has never been any systematic irrigation work in the way of training the rivers. Nothing on a comprehensive scale has ever been conceived, and while the Hon'ble Member has assured us that he has the best of wills, he has the desire to do everything that can be done for improving the rivers of Bengal, improving the irrigation of Bengal, and for doing everything necessary for the purpose of making Bengal overflow with wealth and health, the only difficulty is the difficulty of finance, and he is looking forward to the better times ahead when he will be able to do all these things. With regard to the question of finance, let us look at the way in which the Department has been treated since it has been inaugurated separately, and particularly during this period in which the Hon'ble Member has been in charge of the Department. From 1921-22 up till now, I find there has been a series of retrenchments. Every department has had more or less to suffer cuts in their expenditure, and so far as the Irrigation Department is concerned it has come in for a big slice every time there has been retrenchment, so that the total retrenchment since 1921-22 up to this year has been Rs. 14,19,000. Well, in bad times there was retrenchment, but when better times came when the Government could find Rs. 20 lakhs, Rs. 30 lakhs more for the Police, Rs. 14 lakhs more for General Administration, what did they find for the Irrigation Department? Not one penny. The Irrigation Department which spends about Rs. 38 lakhs has been retrenched to the extent of Rs. 14 lakhs. This is how the Department has been treated in the past. Well, the Hon'ble Sir Abdelkerim Ghuznavi must be a wonderful optimist if he thinks that when better times come his Department will be better treated in the future, unless he makes a bold fight for it, a fight which unfortunately he has not made at the present moment. And then when we look at the expenditure of this Department, what do we find? We find a tremendous amount of

expenditure on account of establishment compared with the amount of services rendered. The expenditure of this Department has always been excessive and with the progressive diminution of work during the past few years by a series of retrenchments, we find that the establishment has not been substantially reduced. I think I am right in concluding that the total expenditure on establishment in this Department is about Rs. 7,25,000 out of a total expenditure of Rs. 38,37,000. Considering the very microscopic work done in this Department, I think the establishment requires more substantial clipping. It is not a question of cheeseparing, but if this is all you are going to do, you have no need for this establishment. The Hon'ble Member says that the overhead charges must be there; I do not know why the overhead charges must be there, if there is nothing overhead to do. Overhead work must not be done before there is anything done below; you have no money to carry out the work below; when it is merely carrying out the work which can be done by ordinary labourers and common engineers, it is no use maintaining this large staff. I do not say this in order to call upon the Department to surrender its staff, but I would rather urge upon the Department the necessity of providing the Department with adequate funds to give employment to all the staff and more staff. It has been found by the Hopkyns Committee that the Department is hopelessly understaffed for the great work which it ought to do. I would give all the staff required provided funds are found to do all the work necessary, and until the funds can be found, I would say that the extensive cost of this establishment must be ruthlessly cut down to the absolute minimum. That is how the bulk of the funds in this Department has been spent. And then there are the white elephants about which complaints have been made in the past, and for which the Hopkyns Committee can only apologise—the white elephants, the dredgers. The history of irrigation work in this province is full of errors. In the past there were those embankments which again we found was an error which we have got to rectify. There has been the canal scheme, the Midnapore Canal for instance, which might have been right or wrong, but the cost of which was hopelessly underestimated. The result is another white elephant. The Midnapore canal is not even paying its way, but still Government has to maintain it, and I do not see why. When you cannot make that canal pay, I do not see why you should continue it any longer. These are the errors which have got to be rectified, when money has got to be found. The work before us is not a small business; it is not a question of digging a river here, or digging a river there, a canal here, or a canal there, but it is a question which has got to be approached in a more comprehensive fashion. Unless you make a scheme and programme for the whole of Bengal, you are bound to fall into errors. You cannot possibly solve the problem of irrigation and navigation in Bengal in this way. Here is

a problem. You have plenty of water in Eastern Bengal which comes into that part of the province by the Brahmaputra, the Ganges and other rivers and overflows the country—sometimes the overflow is such as would put the country in great danger. On the other hand, there is in the West, in South Bengal and in Northern Bengal, not enough water. It will probably be found, if there is a proper hydraulic survey, that enough water comes into the province to serve the entire province, and if a comprehensive scheme is worked out, it will probably be found possible, by the restoration of old water courses, to let off some of that water which flows through Eastern Bengal into the channels of Northern and Western Bengal. I think such a thing is possible; and that is the only thing that should be done instead of wasting money on schemes which may ultimately be found to be unfruitful. The first thing is to draw up a programme on a provincial scale. I am glad to find that in spite of its anxiety to acquit Government in the Irrigation Department of inefficiency, the report of the Hopkyns Committee emphasises this point. That is to say, that the problem must be looked at comprehensively and there must be an all-Bengal programme.

4 p.m.

The report of the Hopkyns Committee emphasises that point, that is to say, that the problem must be looked at comprehensively and there must be an all-Bengal programme. I was glad to find the Hon'ble Member referring to this report, but only for the purpose of creating a Waterways Trust. He promised us a Bill for forming a Waterways Trust. I should welcome the Waterways Trust because if the Waterways Trust is formed, it will be doing a great service to the province. But for that purpose it is not enough to have only a Waterways Trust. It is necessary to be assured that you will be able to provide them with the wherewithal for the work. If you can guarantee that, then the Waterways Trust, when formed, will be able to function properly. The Hon'ble Member has told us that the financial project is being examined, and I am glad to hear him say so. The financial provision should be carefully scrutinised and I do not want to see a new error committed by bringing into existence the Waterways Trust at an enormous cost and then find that you have not the money to pay for the work. The Waterways Trust is not the only thing suggested in the report. That is only one part of the report and the other part is a comprehensive scheme embracing the entire province. The scheme itself is urgent and of the greatest importance—a scheme which has got to be worked with all the speed and all the resources that the Government can command—if not in a year or two years, in 10 or 20 years, but the scheme must be there. Sir, much has been said about Sir William Wilcocks' scheme, but that at any rate is a comprehensive

scheme for Bengal. I do not pretend to be able to judge Sir William Wilcocks' scheme and those of his critics including the Hopkyns Committee who have expressed disapproval of the scheme. Anyway, Sir William Wilcocks indicated the line along which we have got to proceed, which is that we must have a great comprehensive scheme for draining the whole country with all the available water of the province. I should like to hear how the Hon'ble Member proposes to give effect to that proposal of the Committee regarding a comprehensive scheme. Without that comprehensive scheme—not mere piece-work—it will not appreciably solve the problem before them and in all probability they will launch into mistakes again. It is worth while to know that the Damodar Canal project upon which the Government has concentrated its attention for the last few years has been strongly condemned by Sir William Wilcocks. Here, again, I do not pretend to claim to be a judge but it is quite possible that Sir William Wilcocks may be right because the Damodar project was not part of a comprehensive project based upon a programme for the entire province, founded upon calculations of the entire water resources of the country and such other matters upon which a comprehensive scheme ought to be made.

For these reasons I support the cut motion which has been moved.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, I wish to join issue with my friend Dr. Sen Gupta in trying to emphasise the need of a definite policy and good administration for the Irrigation Department in future. Dr. Sen Gupta has said that the history of this Department is full of errors. I would like to go further and say that it is full of tragedies. The one great tragedy which looms large in the past and is still fresh in the memory of the members of this House is the notorious Grand Trunk Canal scheme which after costing nearly Rs. 15 lakhs is now held under suspension. We wish that not only the scheme should be killed outright and buried, but the officers who were responsible for this great loss of money should be brought to book, as is being done with officers in some other Departments at the present moment. This Department, Sir, is remarkable of all the Departments of Government for its minimum performance at the maximum amount of cost. As Dr. Sen Gupta has said, if the Department is properly worked, it ought to be the most valuable Department for the improvement of our province both from the point of view of agriculture and of sanitation. But the way it has been worked in the past and as it is likely that it will be administered in the future, I think it would be much better that the Department should be abolished altogether and the amount that is spent on it be utilised on more useful projects.

One of the activities of the Department is irrigation by which it is meant that the Department makes arrangements to irrigate the land

of the cultivators. The only irrigation projects that have been carried into effect and are working are the Midnapore Canal in Midnapore and the Eden Canal in Burdwan. From the report of this Department for the year 1929-30 (and it may be noted here that we have not received the reports of 1930-31 and 1931-32 yet) we find that both these schemes have been working very unsatisfactorily. We find that the income from the waterways of the Midnapore Canal is gradually on the decrease. It has come down from Rs. 1,74,000 to Rs. 1,22,000 which is the estimate for next year. After spending nearly Rs. 1,58,000, it is estimated that next year we will get a profit of Rs. 22,000 only. This is excluding the interest on the capital charges. As regards the Eden Canal, we find there also that the total income expected is only Rs. 41,000 as against the working expenses of Rs. 43,000 or, in other words, there is a deficit of Rs. 2,000, apart from the interest on capital charges. And this is so, in spite of the fact that the water rates have been increased in recent years. Why the income should be so small requires some explanation. Either the tenants do not require the water or the *raiyats* find the water rate to be too expensive for their needs. If it is the latter, I think it is the duty of the Member in charge of the Irrigation Department to reduce the rates. I understand that there has been repeated petitions for this submitted both to him and to the Minister in charge of Agriculture. If they cannot reduce the rates and curtail expenditure on that account, the utility of these canals becomes less and less apparent every year. I think it is useless to keep such a large staff to look after the working of this system. As Dr. Sen Gupta has said, the other irrigation scheme which is under contemplation is the big Damodar scheme. It is estimated that about Rs. 79 lakhs will be the cost of the scheme, of which Rs. 40 or Rs. 50 lakhs has already been spent. I do not know whether this scheme was taken up after consulting the people or the *raiyats* or any other experts than those of their own Department. It seems to me that on the experience of the existing canals it is very unlikely that the Damodar scheme will be a success. Therefore, if after spending such a large amount of money, Government finds that the scheme is not successful, I do not know what action Government will take. I think, as has been done in the past, the Department will go on throwing away money on project which will do no good to the people.

As regards navigation, I have already referred to the Grand Trunk Canal project which has since been dropped. But, Sir, this project has left behind it what I may say three orphans in the shape of the dredgers *Ronaldshay*, *Cowley* and *Burdwan*, which are even now sucking the life-blood of our people. The capital cost of these dredgers comes to about Rs. 102 lakhs, and since 1929 they have been costing us to the tune of Rs. 1,90,000 every year. Where is the wisdom, I ask, of maintaining these three monsters that are not doing

anything at all. I quite agree with my friend the Rai Mahasai that these dredgers may be destroyed if they cannot be sold at a profit. I cannot understand why Government should not be able to dispose of them when they are of no use. We find from advertisements in newspapers that the dredgers and other machineries used in the great Sukkur Barrage are being advertised for sale. Why cannot the Government of Bengal sell their dredgers for whatever they might fetch? And if they cannot be sold, they must be destroyed. My other suggestion would be to make a free gift of the dredgers to the Hon'ble Member in charge of the Irrigation Department who has recently become an expert in irrigation matters by his two nights' stay in the Nile Valley and by his personal contact with the Aswan Dam. Possibly he might be able to make much better use of these dredgers than his officers have been able to do in the past.

Sir, I do not wish to take more time of the House, specially as you are anxious to adjourn the House for prayer, but I sincerely hope that the irrigation policy of the Government should be more definite and more on the lines as suggested by Dr. Sen Gupta. If that Department cannot prepare a comprehensive programme and stick to it, it is much better that the Department should rather cease to exist instead of wasting public money as has been done in the past.

[At 4-15 p.m., the Council was adjourned for prayer and it reassembled at 4-30 p.m.]

Nawab MUSHARRUF HOSAIN, Khan Bahadur: I want to ask a very simple question of the Hon'ble Member in charge of the Irrigation Department and it is this: Will he please tell us whether he wants to have a comprehensive scheme for solving the problem of irrigation in this country? I want a plain answer to this question.

Babu KHETTER MOHAN RAY: In rising to support this motion I beg to associate myself with all that has been said by Dr. Naresh Chandra Sen Gupta and Khan Bahadur Muhammad Abdul Momin. I want to point out specially that the rivers in East Bengal, especially Dacca and Mymensingh and Tippera, are dying. No serious attempt has been made to preserve the great waterways of East Bengal. While some expenditure under the Department has been incurred in West Bengal, nothing was spent by the Department to keep the rivers in East Bengal in a good state of preservation. It is high time that the Department should make a survey of the rivers in East Bengal and if proper and timely attempts are made to preserve these rivers, I think it may be done with much less cost than if they are allowed to dry up in the course of time. Owing to the silting up of some of the rivers in the districts in East Bengal, navigation and communication have already become difficult and, moreover, it has materially affected the health of the

people inhabiting their banks. Malaria, kala-azar and cholera have made their appearance in areas which were generally free from these. Besides, the agriculture of the localities which used to be watered by the rivers has greatly suffered. Owing to the rising of the beds of the rivers, volume of water which flowed down through the channels cannot now be drained off. The results are that in East Bengal we have constantly devastating floods which damage the standing crops. The beds of the rivers and their tributaries have already risen and the rivers are scarcely able to carry the surplus rain water through their channel, which flows over the fields, giving rise to untimely floods which destroy the crops of the lowlying lands.

It is high time that the activities of the Irrigation Department should be directed to the protection and preservation of the water channels of the districts in East Bengal.

Here I must say that Government have signally failed to tackle the question of preserving the rivers, on which the life and property of the people of Bengal depend.

Mr. J. E. ORDISH: Much has been said about the dying rivers and about the dredgers which are no longer used, but I wish to speak on another aspect. In the case of certain rivers in Eastern Bengal where dredgers have been used and waterways opened up, very much damage has been caused, and undoubtedly it would have been better had the Irrigation Department not interfered with the natural substance of the rivers. I refer particularly to the Dhalleswari which flows past Narayanganj. Some years ago, at the junction of the Dhalleswari and Brahmaputra at Porabari the Irrigation Department was prevailed upon to undertake the opening up of waterways, and to-day we have this result that the south-east corner of Narayanganj is absolutely threatened by this river, which has now broadened and is almost facing the Buriganga, and property valued at many lakhs of rupees has fallen into this river this year and last year. Therefore, I want to draw the attention of the Hon'ble Member to this state of affairs, but at the same time I sympathise with him in the various attacks that have been made upon his Department all round. Far from joining with the members of the House who have attacked his Department, I feel a very real sympathy for the difficulties with which his Department is faced at present; but my chief object in speaking to-day on this subject is to bring this matter to the Hon'ble Member's attention. During the last three days a special committee has been sitting at Narayanganj consisting of a member of the Chamber of Commerce, a member of the Inland Steamer Companies and the Chairman of the Narayanganj Municipality who is extremely anxious for the safety of the town, which is seriously

threatened, as the Hon'ble Member will remember Sirajganj was threatened some years ago, and unless some action was taken, some defensive measures were adopted, a very considerable portion of the town which can claim to be one of the most flourishing in Eastern Bengal will probably disappear.

Babu JITENDRALAL BANNERJEE: In the course of his useful and most eloquent discourse upon the subject, my friend Dr. Naresh Chandra Sen Gupta made one slight error which I wish to point out. He said that in a bad year, the Government in the Irrigation Department say that it has no money, and in a good year also its plea is that it has no money. What he should have said—what, I am quite sure, he meant to have said was that in bad years they have no money while in good years they have no plan, no project, no anything. The policy of that department is a casual, shifting, hand-to-mouth policy, and is incapable of accomplishing any permanent or far-reaching good. In this connection I am reminded of a very striking reply made by one of the highly paid grandees of the department when examined by the Waterways Committee. This gentleman was a Rai Bahadur and an Executive Engineer. He was asked whether the department had any scheme in hand, and he said "no:" whether it had any plan, scheme or estimate, for future operation, and the reply was "none." He was asked "what do you do then?" His answer was "we keep up an establishment." That was a most striking, significant and illuminating remark. The department has done nothing useful since its inception, it has never made a comprehensive survey of the river-system in the country; it has no plan for continuous and extensive operation; it only keeps up an establishment, and sometimes—by way of variety, for the purpose of furnishing the establishment with an apology of work—it hits upon some fantastic scheme. Take my own district, the district of Birbhum. Some time ago an irrigation project, known as the Bakreswar Canal project, was taken in hand: The canal has now been constructed and a fairly large sum of money, something over Rs. 4 lakhs, has been spent over it. The canal is there, all complete; but there is one slight defect about it, there is no water in the canal! no source from which water can flow into it! Somehow or other the Engineers of the Irrigation Department overlooked this primary and essential feature of the thing!

While on the subject of my district, there is another point to which I should like to refer. Generally speaking, people under the impression that West Bengal, a vast expanse of water-less desert, so it is, in a qualified measure, and through a part of the year. Throughout summer, the rivers almost cease to be rivers, they are just dry and arid channels of sand extending over miles and miles with hardly a

faint glimmer of water twinkling among the parched masses of sand. But what a difference is presented in the rainy season! No sooner do the rains commence than the rivers become full from brim to brim of the rich, red water of Sir William Wilcock's picturesque phraseology. Millions of tons of water rushing towards the sea or towards other rivers! And all this enormous mass of water is allowed absolutely to run to waste! No attempt is made to harness this gigantic mass of potential water-power—no reservoirs constructed to hold up the water—and no channels made by which the water may be led to the fields! And year after year this frightful waste goes on while the highly-paid staff of the Irrigation Department does nothing but "keep up an establishment!" One feels in his bones that something could be done if only there had been any vision, any imagination, any knowledge behind the department. That is my chief charge against the department, not lack of funds, which can be provided, not lack of men, there are plenty of them, but the absolute lack of any intelligent plan of operation! Unless that can be done, it would be useless to keep up this department: and I agree with Khan Bahadur Momin that if the department continues in its present wasteful career, the sooner it is abolished the better.

Mr. SHANTI SHEKHARESWAR RAY: The Hon'ble Member has been presented with so many schemes that I will not attempt to add to them, but I have one very humble suggestion to make. I would suggest to the Hon'ble Member in charge of the Irrigation Department to visit for some time the different districts of Bengal during the term of his office. Well, Sir, in this connection one of my friends asks: "What about the travelling allowance?" I would reply that the amount of money that would be spent during these tours would be very well spent, because the Hon'ble Member would in this way acquire personal knowledge of the conditions of things in the different parts of Bengal with regard to irrigation, and would be able to add to the expert knowledge that he has acquired by a visit to the ancient land of Egypt.

Apart from this, he will come in personal touch with the local inhabitants of the places and he may entrust them with the execution of local schemes and thus add to the resources of Government. He may succeed in persuading the local *zamindars* to take interest in schemes of importance in the districts and thereby solve the problem of money to a certain extent. Sir, speaking from my own experience, in Northern Bengal, I think with a little money and a little more energy wonderful results can be achieved in that part of the country. What is wanted in this Department is the realisation of the fact that the Irrigation Department is practically a development department.

4-45 p.m.

You may have any number of schemes, but if you have not the proper drive those schemes are perfectly useless. As my friend Babu Jitendralal Bannerjee has said, experts have brought out many schemes, but most likely for want of local knowledge those schemes have practically become useless and the money spent on them wasted.

Maulvi ABUL KASEM: Several questions are before this House for discussion. I would however confine myself to the motion of Rai Mahasai, because it is the motion on which I can speak with a certain amount of personal knowledge. This motion is intended to draw the attention of the House to the condition of the rivers in the Hooghly and Howrah districts. This question, Sir, so far as I know, has been engaging the attention of the Bengal Legislative Council since the year 1913. We, the people on the other side of the Ganges, are suffering from two diseases. The first is that there are large tracts of land which do not produce the expected crops, or there is failure of crops, for want of proper irrigation. On the other hand, there are equally large portions of land which are unproductive, because the crops are periodically destroyed by floods. This matter was repeatedly brought to the notice of Government from the floor of the Bengal Legislative Council as it then was, and, Sir, we were given an assurance by no less a person than the Governor of Bengal at that time, that a big scheme was under preparation for the erection of a big reservoir at the catchment area of the Damodar from which it would be possible to discharge water when needed and what is more, Sir, the members of the Council and those interested were invited at a meeting and shown a model of the whole scheme which was prepared at a heavy cost. But since then we have heard nothing about it. The Council has changed its nature and the constitution has been changed, but we have not heard a word about it. Sir, reference has been made to the Eden Canal and it has been suggested by Khan Bahadur Muhammad Abdul Momin that it is not a paying concern, therefore it ought to be given up. I, however, do not agree with him. True it is that the Eden Canal is not a paying concern—and why not, Sir? The reason is very simple and that is that we people whose lands are on the border of the Eden Canal do not get even an ounce of water when water is much needed in dry season and sometimes when in some places water is not required they are flooded with water. Therefore, it is obvious there is gross mismanagement of this affair. My friend Babu Jitendralal Bannerjee has said that the Bakreswar Canal is all right, but the only defect is that there is no water; so, Sir, in the Eden Canal as well there is no water when water is most needed during dry months, and the reason is that the Damodar, the Ajoy and the other rivers in the Burdwan Division are ill-fed rivers. There at one time water runs

from the bed at the rate of 70 million gallons per minute and at other times not a bucketful of water is to be found. These are the characteristics, more or less, of not only the Damodar river but also of all the rivers in the division. The only solution of the problem is by the erection of a reservoir at the catchment area of the Damodar and thereby supplying water to the rivers and canals that flow from the Damodar for irrigation purposes. Irrigation, drainage and agriculture go hand in hand and therefore irrigation, sanitation and agriculture must work hand in hand. But unfortunately, Sir, in Bengal these three Departments are managed by three different Members of the Cabinet, and, I am afraid, there is no co-operation or cohesion between them. In the old days rivers and waterways—call them rivers, call them canals, whatever you like- a number of which took water from the Damodar, used to supply the needs of the agricultural population throughout the year. But these water channels or rivers or by whatever name you may call them, as has been said by Rai Mahasai, are dead or are dying. They are not dead of a natural cause, but they are dead or are dying because of the action taken by Government human action. The embankments of the railways (which have been allowed to be made) without sufficient openings and the making of the mouths of these rivers like bottles have practically silted them up. And steps, although several times promised, have never been taken to make these water channels flow and to see that there is continual flow of water. The other reason, Sir, why these rivers are dying is that Government do not want that these water channels should flow into the Ganges, because—the argument is very simple—it will carry sand into the Ganges and the port of Calcutta would be affected. So the poor cultivators must suffer. Calcutta, the Imperial city, must flourish and the steamer companies must flourish—it does not matter if a few agriculturists die here and there.

Sir, the Government of Bengal whether it is the Member in charge of the Irrigation, or the Agriculture or the Political Department—must remember that the agriculturist is the real bread-winner of the whole family. It is by his work and the sweat of his brow that the wealth of the country can be produced and the people can flourish.

Sir, we have been told that there is economic distress at the present moment and on account of this primary education cannot be given effect to, the salaries of Government servants have to be cut and so on. But I want to know what steps this Government has taken or will take to increase the productivity of the land or to increase the tax-paying capacity of the people. Unless some action is taken by Government to help and improve the economic condition of the people, what chances are there for the general improvement of the condition in the near future? The difficulty is that the people sitting in the Writers' Buildings believe that they are the repository of all wisdom, of all experience

and intelligence, and any outside criticism is nothing more or less than sheer impertinence. Sir William Wilcocks' scheme, as soon as it was printed and circulated, was turned down without examination as if it was a madcap's proposal. Sir, it has been proved that the proposal of the Irrigation Department, as has been said by Dr. Naresh Chandra Sen Gupta, has been actually proved to be a failure one after another, and the greatest are the three white elephants—I mean the dredgers.

Unless Government, and particularly the Irrigation Department, make themselves amenable to criticism and are prepared to listen to the opinion of the outside people, we shall all join hands in asking for the abolition of the Department as early as possible.

Mr. PRESIDENT: For the convenience of members and to save the time of the Council and also because I am anxious to maintain what I may call uniformity of debate under a particular head of the budget, I have been forming groups of motions, each consisting of several motions, more or less identical, so that these may be discussed together. I allowed a break in the present instance, as you must have noticed, in order to break the monotony of the debate, this particular grouping being extraordinarily large, and also to give an opportunity to members, other than those who had motions to move, to participate in the debate. I think, I should now proceed to complete my circle and cause the remaining motions of the group to be moved.

The following motions were called but not moved:—

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Rs. 1,000 (failure of the Department to tackle the problems of the dead and dying rivers in Bengal with special reference to the condition of the Brahmaputra in the district of Dacca)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Re. 1 (inadequate provision or absence of any provision for the improvement of the rivers Dhalleswari and the Buriganga in the district of Dacca and for the canalisation of the Dolai *khal* running through the city of Dacca)."

Mr. P. BANERJI: I beg to move that the demand of Rs. 9,27,000 under the head "55—Construction of Irrigation, Navigation, etc., not charged to revenue" be reduced by Rs. 101 (to raise a discussion about the negligence of the Department specially in the 24-Parganas and Jessore).

Sir, much has been said about the neglect on the part of the Government regarding proper irrigation, and I need not add anything in that direction. I want specially to invite attention to the damages that are being done from time to time to the people of the 24-Parganas on account of this negligence on the part of Government. The people of the 24-Parganas are suffering not only from the loss of crops due to scarcity of water but also from inundation. There are two important items which demand immediate attention. The first is the re-excavation of the Katakhali *khal* in the water-logged area between the Diamond Harbour Road and the Hooghly river to the north of Falta Road up to Bishnupore in the southern section of the 24-Parganas and the second is the removal of the high floors of all culverts including the Shirakoi culvert on the Diamond Harbour Road and the Kalighat-Falta Railway bridge which cause obstruction to the flowing stream of Srichanda *khal*, stop the running of the water transport totally and further create a serious block to the water of some portion of the Katakhali *khal*. As regards the project of re-excavation of the Katakhali *khal*, this had been under consideration of the Government of Bengal for a number of years, but it was subsequently dropped for reasons unknown to the public. In 1927, at the instance of the Sukdebpore Progressive Association, the Collector of the 24-Parganas prepared a scheme under the Agriculture and Sanitary Improvement Act, VI of 1920, and has since submitted it to the Irrigation Department. The public deposited Rs. 248 on demand with the Collector of the 24-Parganas on account of the preliminary survey and the preparation of the new scheme.

5 p.m.

As regards the high floods, after a local inquiry, the District Board Member in charge of the Irrigation Department in the Bengal Legislative Council, dated 21st March, 1930, and 22nd August, 1930, that the scheme was prepared long ago and what is wanted at the moment is to revise the rates. Now the question is how long it will take to reach finality. About a quarter of a century has already elapsed, but practically no progress is noticed. As a consequence there has been failure of paddy crops in this waterlogged area for the last few consecutive years, and malaria prevails throughout the year in the locality. The distress in the current year is no less acute. Many village roads have been washed away during the last rains and paddy-fields look like a vast sheet of water during the rains.

As regards the high floods, after a local inquiry, the District Board of the 24-Parganas agreed that the high floors of these culverts should be removed and they thus passed a resolution on 27th January, 1931, for the removal of the same. The Public Works Department authorities have since rejected their recommendations on the ground that the

people of the Katakhali area cannot expect the benefit of the Srichanda *khal* which is included in the Magrahat drainage area. The Bally Bridge is being built at the cost of the people of the Calcutta district, but it does never mean that the people of other districts will not be allowed to reap the benefit of it. Further, while safely dealing with this question, the authorities have safely ignored the most important point, *viz.*, the deadlock to the water transport in the *khal*, which affects the village trade to a great extent. Furthermore, the high floors of such culverts are liable to be removed.

Sir, in these cases the villagers for the last 25 years have been trying to contribute their share, so that these difficulties may be removed, but this Department have from time to time turned down these projects. I would, therefore, request the Hon'ble Member to expedite the matter and also point out that in 1930 perhaps on the motion of my friend Maulvi Syed Majid Baksh a sum of about Rs. 26 lakhs was sanctioned for the excavation of the Bhairab and the Nabaganga rivers, but nearly three years are about to elapse and nothing has yet been done. It has been pointed out by several speakers in this House that if that scheme had been taken up all the excess water coming from the north would have passed directly to the sea through the Mathabhanga, Nabaganga and the Bhairab rivers, and that Government would have no difficulty in carrying out the scheme by spending a small sum. Every time whenever any such proposal has been suggested by a member of this House, it has been met with the argument of dearth of money. But I may say, Sir, it is not the dearth of money but the dearth of real feeling. In this connection, I must say that if there had been any stretch of imagination of the Department money would have been forthcoming, as even the people of these places were ready to contribute if the Government had come forward with schemes. They are trying to spend money in their own way, but it is all fruitless without Government help. Every time Government say that there is no money, but I must say that there is no will behind the argument. Why is money necessary? It is necessary to excavate these rivers. Last year and this year we have noticed that many ordinary criminals have been released from prisons in order that accommodation could be found for the Civil Disobedience prisoners. Sir, if instead of releasing these prisoners, they were allowed to work in excavating these rivers in the interest of the general public, it is quite possible no extra money would have been necessary and these people would have been honestly employed than their committing theft and robberies which they are sure to commit after release. This action would have removed a great want and brought prosperity to the country which had been taken away by the irresponsible work of this Department. With these words I commend my motion to the acceptance of the House.

The following motion was called but not moved:—

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 9,27,000 under the head '55—Construction of Irrigation, Navigation, etc.' be reduced by Rs. 100 (to draw attention to the failure of the Department to eradicate the water-hyacinth nuisance and to irrigate the dying rivers, particularly of the district of West Bengal)."

Mr. PRESIDENT: Motions Nos. 261, 268, 269, 274 and 300 are before the House.

Maulvi SYED MAJID BAKSH: Sir, some of my friends have expressed doubts as to why this Department exists. A glance at the budget estimates for 1932-33, page 5, will convince any one as to why the Department exists. I am referring to the Sunderbans Steamer Route and the Madaripur Bhil Route. We find, Sir, that even the last year's budget shows a loss of Rs. 1,01,000 in the case of the Sunderbans Steamer Route and a loss of Rs. 3,31,000 in the case of the Madaripur Bhil Route, not to speak of the other losses which the Department incurred under other heads. Surely, Sir, this Department exists for the benefit of the European Steamer Companies. If there was any doubt about this, that has been dispelled. The poor Member in charge of this Department is helpless in this matter, and it is useless to rebuke or criticise him that he is not doing his bit. He is trying to do his bit. I heard a member on my left to remark that because of the Narayanganj Chamber of Commerce prevailing upon the Irrigation Department to excavate a canal somewhere near Narayanganj, Narayanganj is going to be wiped out. It is derogatory to the foresight and intelligence of the expert and well-paid Engineers of the Department to say that they could not perceive it. They did perceive it, but they were helpless. The Narayanganj Chamber of Commerce came with a scheme and at their bidding the Department excavated the canal. It does not matter whether the expert Engineers of the Department or the Member in charge foresaw what would happen. The Narayanganj Chamber of Commerce wanted it and the canal was excavated. If Narayanganj is going to be wiped out, some other scheme must be found so that Narayanganj can be saved, causing damage to some other portion, and this is the game of sea-saw that they are engaged in. It is idle to expect them to do any good to the people, unless we can thoroughly change the whole thing and we can make the Department take up such schemes which are conducive to the good of the people, and until we can do that it is useless to criticise the Member and say that he is not doing this or that.

As regards the dredgers, their cost is very high, perhaps nearing about a crore of rupees—I cannot give the exact figure—and a glance

at the budget will show that the running expenses of these dredgers are really very high—Rs. 5 lakhs. These dredgers are required only to excavate the canals which will help the Steamer Companies and these Companies get the Irrigation Department to do their own work. Now, the dredgers cannot be used, but of course their cost has to be borne, the staff has to be maintained, and perhaps there are some very expert Engineers whose salaries cannot be touched, but must be paid. Therefore, the running cost of the Department is very high. These and many other things sit like a nightmare upon the Irrigation Department, and unless these things are removed, it is difficult to make the Irrigation Department work. I have heard some of the members to remark that the Irrigation Department has not sufficient imagination, but I think they have enough imagination to produce at a moment's notice any scheme, but where is the money to come from, and money will not be forthcoming unless the object for which it is to be spent is conducive to the interests of those to whom I have referred. Sir, I appreciate the difficulties of the Irrigation Department and in that light I would ask the Irrigation Department to be at least fair to us. The previous speaker has remarked that this Council passed a resolution about three years ago for a sum of Rs. 24 lakhs for the Bhairab Scheme No. II and Rs. 2 lakhs for the Nabaganga Scheme, amounting in all to Rs. 26 lakhs, but the Department had got no money. Well, I would not ask the Department to give me any money, but I would simply ask if they would be so kind as to allow me to float a Company and to raise the necessary money in order to excavate these rivers. I would be satisfied with that. These are all ancient trading routes and have silted up owing to the policy of the Railway Department and of the policy the sole aim of which is to see that the business of a certain class of people thrives, and it is at the behest of these people that practically at the very sources of these rivers the water which used to cause floods has been bottled up.

5-15 p.m.

Water cannot pass through them, and therefore they are dying: no Irrigation Department was required to keep them flowing in the past till at last the Railways were opened. It is only when the Railways opened that these rivers began to be silted up. I have already submitted to you, and I shall go down on my knees and implore you, to allow me to float a Company by which I can open these canals. Allow me to do the work. I do not want any money.

Reverend B. A. NAG: But if you fail?

Maulvi SYED MAJID BAKSH: Well, if I fail, no one will lose

A VOICE: Better have a European Manager.

Maulvi SYED MAJID BAKSH: Of course I cannot go into details; whether we have a European Manager or Mr. Nag. But I can assure Mr. Nag that I will not touch even a penny out of his pocket; the money will come out of the pockets of the people of those very districts which are affected and which are ready to supply the funds, and I can assure you of one thing, and that is that I will not require the huge sums that are calculated by the Engineers of the Irrigation Department. I will take a very small sum, and the work will be very well done, and that sum will be made up by the tolls paid if I am permitted to collect them from these rivers. I have already submitted that a large portion of the country is now blocked for any trade whatsoever, and if trade is opened through them, I expect a very good boat traffic; I shall be able not only to raise this sum which I shall borrow, but a very big sum from which to pay dividends if they like. I do not know whether the Irrigation Department will pay any heed to this, but I will tell the Council that it is up to them to respect their own decision. They decided that the budgeted sums should be spent; the question is again before them in the form of an irrigation policy, and I request them to respect their decision. Of course, if a division is called on this, I would ask my friends to vote as I have pointed out. If you kindly look into the reappropriation account of the Irrigation Department for 1929-30, you will find that the budgeted amount cannot be spent. There is always a surplus of more than 7 lakhs of rupees. The budgeted amount they do not know how to spend, and that is why there is a huge amount of money as surplus from year to year and for no purpose. That is a defect of budgeting in the Irrigation Department to which I draw your attention. If the budget and the accounts of the Irrigation Department are properly drawn up and 7½ lakhs of rupees are not tied to the Irrigation Department for no purpose whatsoever, some money will be released for carrying out other irrigation schemes which will be of benefit to the people. They must leave it to better hands, if they want good results.

Well, as regards the dredgers. It was decided in one of the meetings of the Irrigation Committee that the dredgers should be advertised for sale. Of course they cannot be sold in India, but should be sold outside India. I do not know whether that decision of the Irrigation Committee has been carried into effect and whether they have been advertised for sale outside India. If they have not been so advertised, I would like to be enlightened as to what the Hon'ble Member has got to say on the point. Then there is another difficulty — difficulty about docking these dredgers. We have been told that these dredgers, if necessary, may be docked at a very much lower cost in one of the docks here. I do not know whether that has been tried. These are the defects which must be corrected before the Irrigation Department can give a good account of themselves.

Last of all, the policy which has guided the Irrigation Department up till now should be altered. It was a policy of dredging—dredging this river, dredging that river, dredging this canal, and that canal. This policy of dredging should be abandoned, and a new policy of opening out and clearing up river routes should be pursued. If that is done at the same cost they are incurring now, they will be able to give some satisfaction to the people by improving the existing *khals;* and if they will undertake some new work of opening out new canals, and finding new waterways for opening out the country, this will satisfy the public.

Maulvi SYED JALALUDDIN HASHEMY: I would do a great injustice to myself and to my constituency if I do not add a few words about the present condition of the river which runs, though feebly, through my village. The name of the river is very well known to students of Bengali literature, it is the Kapatakshya; Michael Madhusudan Dutt received his education in that village. When I was a student in that village, I remember the condition of the river was too much flourishing, and the villagers on both sides of the river were too much flourishing in health, education, money and everything; but what is the condition of the river now? When I go back to my village and see the present condition of things, I become furious. In the beginning it was a navigable river; now that river is entirely covered by water-hyacinth. With great difficulty nowadays a small boat can pass through that river. Khan Bahadur Momin in a good humour suggested the abolition of this Department. I say that this is not possible. It is a reserved subject, and therefore the question of abolition does not arise. I can suggest a practical remedy in place of the abolition of this Department, if the House will accept my suggestion. The remedy is Civil Disobedience. Some experts of the Civil Disobedience Movement should come forward and suggest some measures how to enforce Civil Disobedience with regard to this Department, leaving aside all other political considerations. Really speaking, my district was a very prosperous district, particularly in health; there was no complaint absolutely. But now in my village as well as other villages in the entire district, there are epidemics of cholera, kala-azar, dysentery, etc. And what is the cause? It is because the river is not flowing and in the course of the next 20 years the famous Kapatakshya river will not be visible. Nowadays we do not go to our villages, although we have got a very good road from Calcutta, a good metalled road, we can go all the way in a motor car, and what is the intention of Government in metalling these Roads, leaving aside the rivers which ought to have been re-excavated long ago? It is probably for the benefit of the motor car manufacturers of London and other places that they are metalling these roads, leaving aside the wide question of remodelling or re-excavating the silted up rivers.

With these words I beg to support the motion.

Babu HEM CHANDRA ROY CHOUDHURI: We have heard so much against the works of this Department and the Hon'ble Member-in-charge, I want to say something to show the other side of the shield. This Department, like all other Departments of Government, is not above errors or faults, and it must be admitted that much is left to be done for the improvement of the country and the condition of the people. But, Sir, you know much of the work of this Department depends upon the opinion of experts and Khan Bahadur Abdul Momin, who was so violent in criticising the Hon'ble Member to-day, has put several interrogatories to the Hon'ble Member as regards the reasonableness of his granting permission for the construction of a *bund* across the Noakhali *khal* against the opinion of the experts of the Department. Had not the Hon'ble Member taken up courage in both hands, and had he not sympathy with the interests of the people, leaving aside the vast interests of the people of Noakhali, Government property worth Rs. 15 or Rs. 20 lakhs would have been swallowed up by this time by the river. Khan Bahadur Abdul Momin while he was in charge of the Division was also of the opinion that the *bund* should not be constructed, and he was practically against the Hon'ble Member, but the Hon'ble Member found out that something must be done to save the town from erosion, and in spite of the opposition of the Department——

Khan Bahadur MUHAMMAD ABDUL MOMIN: May I ask the hon'ble member what is his authority for saying that the Commissioner of Chittagong Division was against the *bund*?

A VOICE: General knowledge.

Babu HEM CHANDRA ROY CHOUDHURI: Not general knowledge; will the Khan Bahadur say that he was not against the *bund*?

Khan Bahadur MUHAMMAD ABDUL MOMIN: No.

Babu HEM CHANDRA ROY CHOUDHURI: Then I am sorry, but I know positively that he was against the *bund*, and I think the Hon'ble Member in charge of the Department is the right person to say whether the late Commissioner of the Division was against or for the *bund*.

Babu JITENDRALAL BANNERJEE: Has any member any right to question the accuracy of a statement of another member?

Mr. PRESIDENT: Ordinarily he should not; but when it is not a point of honour but of facts a member may choose to uphold his own statement.

5-30 p.m.

Babu HEM CHANDRA ROY CHOUDHURI: Then, Sir, the same thing the Hon'ble Member has done with regard to Sirajganj. We know that the late Chief Engineer submitted a report with an estimate of several lakhs of rupees for the protection of Sirajganj. But the Hon'ble Member taking keen interest in the matter got that estimate reduced to two or three lakhs of rupees only and he actually did something to save the town. So the history of this Department is not so blank as it has been said to be. The history of this Department has been described as a history of tragedies. I think it would have been more correct to say that the history of the experts of the Department is one of tragedies. Sir, you cannot expect the Hon'ble Member to arrive at an expert opinion on the matter. He will have to depend upon the opinion of the experts, and I think the Hon'ble Member also, if I remember aright, has said on some occasion that the works of the late Chief Engineer Mr. Addams-Williams were not satisfactory and were not up to his expectation. We have fortunately been relieved of his advice now. Another gentleman has just joined service and we shall wait and see what he will do for the province. Sir, the Hon'ble Member has also in his own capacity been doing his best to fulfil what he promised us last year—I mean the Board of Waterways which will look after this problem which is a very complicated one and which requires much time and money. If this promise is carried out, and if a Board of Trustees is formed, I think this problem will be solved in the near future.

Sir, this problem—that is, the problem of irrigation, navigation and drainage works—is not a problem which is going to be solved in a day or two. It must require some time and must require sufficient funds. I think everything is ready in regard to a good many cases and projects and plans are ready with the Hon'ble Member and if sufficient funds are forthcoming, the projects will be carried out. But at the present moment the Hon'ble Member is hopelessly without sufficient funds.

With these words, Sir, I oppose the motion.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Mr. President, Sir, it has been a pleasure to me not unmixed with amusement to listen to this debate and to hear various views expressed by various members of this House. I will begin with the Nawab Saheb. He has been very brief and brevity being the soul of wit, he put only one single question and that question I shall answer first. He asked me point blank whether I have any comprehensive scheme for the Department. I am not quite sure whether other hon'ble members also put that question. My answer to that would be that, that is

exactly what I am after and I am anxious to see a policy laid down for the whole Department of Irrigation. Primarily with this object in view, a Committee was appointed to look into the working of the Department and to advise Government as to how to carry on the various activities of the Department. That Committee has submitted a report and has advised that certain activities of the Department should be separated from the others, particularly that of navigation. That is one of the points.

Another point that the Committee laid stress upon, was that there should be a hydraulic survey and thereafter a policy should be laid down for the working of the Department. I think this will satisfy my friends on the other side, that it is the intention of the Government also, that as soon as Government are able to lay down a policy, for the whole Department, they will do so.

Now, Sir, I come back to the first mover—to my friend the Rai Mahasai. The Rai Mahasai along with many others seems to be a great admirer of that great man Sir William Wilcocks. They all spoke about him and said that Sir William Wilcocks paid a visit to Bengal which was followed a year after by another visit, and he laid down a clear cut scheme whereby Bengal could be saved and things of that kind. Sir, I had not the privilege of being in office on the occasion of his first visit, that was, speaking from memory, in 1928, when he visited Bengal for the first time. I remember his next visit which was in 1930. I was then in office and I can tell the House that I for one never brushed his suggestions aside, but gave him a patient hearing. He presented me with a copy of the lectures he had delivered at the Calcutta University. These lectures I read very carefully. Questions were then put to me in the Council and inquiries were made whether Mr. Addams-Williams had written anything by way of criticism of the lectures of Sir William Wilcocks. To that I said that Mr. Addams-Williams did write something, but these criticisms were not made public. Thereafter, a request was made to me that these criticisms should see the light of day. I at once accepted the suggestion and asked the late Chief Engineer to write a fresh criticism of all the lectures that were delivered by Sir William Wilcocks and submit them to Government. The criticisms of the late Chief Engineer were written up and were submitted to Government. This was placed in my hands this time last year, but I had no time to go through them at that time. I, however, sent his criticism to Sir William Wilcocks and asked him to write a further criticism on this criticism of Mr. Addams-Williams. This red book represents the whole case which is now available to the public and any hon'ble member of this House can get a copy of it at a very modest price of Re. 1-11. It can be had at the Government Book Depôt and it contains all the criticisms on both sides.

But to resume. Sir William Wilcocks seemed to have captured the imagination of the whole of Bengal and laid down a scheme which would give to Bengal a panacea whereby the whole problem of irrigation, navigation and everything else could be solved. But if I refuse to be goaded by the hon'ble members of this House and if I refuse to allow Sir William Wilcocks to capture my imagination without first studying the situation in all its aspects, is it fair for my hon'ble friend the Khan Bahadur to blame me? I took the trouble of going all the way to Egypt to see for myself the great and wonderful Irrigation works which have been done there. I have visited the great Aswan Dam which has transformed arid deserts into smiling fields. But it is neither here nor there. I went there to find out whether the conditions in that country were in any way similar to those of Bengal. One's imagination is no doubt captured when a reference is made to the Blue Nile and the White Nile and so forth, but there can be no comparison between the Nile and our rivers. I met Sir William several times and he gave me his views. We have been told by some members of this House that the Aswan Dam was constructed by Sir William Wilcocks, but the fact is that it was constructed by a group of international Engineers.

It is true that the idea was first conceived by Sir William Wilcocks who, working under instruction of Sir Charles Scott-Moncrieff, first made the necessary survey and plans. The actual design adopted was that by Sir Benjamin Baker, a member of the International Commission. It took five years to complete the construction from 1907 to 1912. Sir William Wilcocks has been described as the author, as the builder of Nile irrigation. My friend Mr. Suhrawardy paid great compliments to Sir William Wilcocks last year, and I am sorry he has arrived here too late to-day to do the same thing.

This Aswan Dam was made at a cost of £9,000,000; its construction took five years, from 1907 to 1912; its original height was 44 metres, but it is again being raised to 53½ metres. I was there while the operations were going on. Thus Sir William Wilcocks was not the author of this Dam, but there is no question that he is a great Engineer of world-wide reputation. There is no question of that. He was the builder of that wonderful Barrage in Iraq which is known as the Hindiya Barrage, but this was done nearly a quarter of a century ago. He was commissioned by the Turks to build the Barrage. Standing on the Barrage one could not but recall the day when that great tragedy took place at Kerbala. One could not forget the scenes that are described along with that tragedy.

Babu JITENDRALAL BANNERJEE: On a point of order. Are we concerned with this interesting historical detail?

Mr. PRESIDENT: I am afraid those scenes are going to be re-enacted here. (Laughter.)

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: So much has been said about Sir William Wilcocks that I thought it my duty to clear up all the cobwebs that have clustered round the name of Sir William Wilcocks. Sir William Wilcocks was really responsible for that wonderful Barrage, the Hindiya Barrage, which transformed the country. But what did Sir William Wilcocks tell me this time about Bengal? That will be interesting. He admitted that conditions in Bengal were totally different from the conditions in Egypt. He said: "Nile does not behave in the same way as do rivers, like the Ganges and Brahmaputra." He did not advocate our launching into an extensive Barrage. He suggested that we should first judiciously cut at certain places the high embankments along some of our rivers to let the flood water flow into our fields. This is a scheme which is very different from the schemes which he has put forth elsewhere.

Mr. H. S. SUHRAWARDY: If the Hon'ble Member would read the scheme which Sir William Wilcocks suggested he would find that this was exactly what he said.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: No one has a greater admiration for Sir William Wilcocks than myself, and I do not even yield to you, but I wish to remind you that all his wonderful works were consummated some 25 years ago.

Mr. H. S. SUHRAWARDY: Does the Hon'ble Member insinuate that all old men are senile?

Mr. PRESIDENT: You cannot interrupt the Hon'ble Member while he is speaking. You cannot rise unless he gives way.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: There is no question that he is held in great regard and esteem; there is no doubt about his great engineering skill; there is no question of the wonderful things that he did in Egypt, but the fact is that all this was done 20 to 25 years ago. Members of this House will be interested to know that at the present moment he occupies his time as a missionary and is trying to translate the Bible into colloquial Egyptian Arabic.

Dr. NARESH CHANDRA SEN GUPTA: Has this anything to do with Sir William Wilcocks' scheme?

Mr. PRESIDENT: I am afraid the Hon'ble Member is taking advantage of my ignorance of Egyptian romance. (Laughter.)

Mr. H. S. SUHRAWARDY: May I point out that this work is missionary work so far as Sir William Wilcocks is concerned?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I may tell the House that I spent a very agreeable and instructive time while I was in Egypt.

Khan Bahadur MUHAMMAD ABDUL MOMIN: He seems to be still in Egypt.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: As the previous speakers had all transported themselves to Egypt, I had no option but to go along with them all the way to Egypt. This Department has been the recipient of a lot of unmerited expressions and ignorant criticisms. Some members of this House said that the Department has done nothing, that the dead and dying rivers are still dying and that the Department is sleeping and so on. That is one side only, but there is another side of the shield.

The problem of dead and dying rivers may be divided as follows:—

(1) maintenance of navigable waterways and renewal of those which have deteriorated;

(2) keeping open and flushing old river channels mainly from the point of view of sanitation and drainage.

As regards (1) this Department spends considerable sums annually on maintaining the most important steamer and boat routes, the most important being the Sunderbans Steamer Route. It is said that some of the steamer routes are maintained solely for the benefit of European commerce. I deny it totally. It is most important to keep a connecting link by water between Eastern and Western Bengal, but that is not for European commerce only. It is not in the interest only of European commerce.

Maulvi SYED MAJID BAKSH: Let them pay their way.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: There is also considerable annual expenditure on the maintenance of the Dhalleswari, the Ganges and Mahananda and this work has been entrusted to the Steamer Companies. A scheme which was recently carried out was the opening up of the Lohajang river in the Tangail subdivision. The following are the more important schemes under this head; I mean the Alaipur and Demorta *khals* and the Dholai *khal*. It is not possible to fight against nature. Many of the waterways as is natural in a deltaic

country which is built up by rivers are doomed to decay, however much may be spent on them. It is nevertheless true that much could be done in the way of revival and maintenance of minor routes.

As regards (2) maintenance and flushing of old river channels for drainage and sanitary purposes, if we take works which have been executed in the last few years only we have the excavation of the silted up Amirabad *khal* in Midnapore for draining the Amirabad and Contai basins; the Gobra Nala scheme in Murshidabad and the Bhairab scheme in the Meherpur subdivision of the Nadia district. The latest reports on flushing the area east of the Damodar in the districts of Burdwan and Hooghly show that a good many of the obstruction *bunds* have been removed and that water taken by a cut from the Damodar found its way into the Hooghly through the northern and southern branches of the Saraswati.

Among the more important schemes which have a similar object in view are the Amta scheme, the Bhairab II scheme and its subsidiary scheme and other schemes in Jessore, the Soadighi Gangakhali scheme in Midnapore, the Jaboona Project No. II in Jessore, Nadia and 24-Parganas and a number of others. There are a few minor schemes in contemplation. To mention a few, the Harahatugunj drainage scheme in the 24-Parganas, re-excavation of the Narod river, flushing Baralai river, improvement of Atrai river, drainage of Chalan Bil, flushing of Tulsiganga river. In Malda re-excavation of old beds of Mahananda river.

Here again it is simply a question of funds and for want of funds it is impossible to give effect to them. I may say that the Bhairab II scheme was worked out very carefully and estimates were prepared and the total cost came to the large sum of Rs. 26 lakhs. Naturally it was not possible to find this money and it could not be done; it has remained on paper only and Government have not been able to launch it.

My thanks are due to the present incumbent of the post of Chief Engineer (I say this because I find an hon'ble member opposite has actually tabled a motion about him) who was selected after great care and who has been able to make a gesture in order to do something with regard to the Bhairab II scheme.

(Here the time allotted for the discussion of the demand under the head "XIII, 15, 15 (*1*), 16 and 55—Irrigation" having been reached, the Hon'ble Member resumed his seat.)

The following motions were then put and lost:—

"That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenue' be reduced by Rs. 1,000 (to draw attention to the failure of the Department to tackle the outstanding irrigation problems of Bengal, *viz.*, water-hyacinth and the dead and dying rivers of Bengal with special reference to the condition of rivers and other waterways in the districts of Hooghly and Howrah)."

"That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Rs. 100 (inadequate provision for improvement of rivers and other waterways in the districts of Dacca and Mymensingh)."

The motion that the demand of Rs. 10,17,000 under the head "15—Irrigation—Other revenue expenditure financed from ordinary revenues" be reduced by Rs. 100 (to criticise the irrigation policy of Government and its failure to tackle the vital problem of the dead and dying rivers of Bengal) was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Bakeh, Maulvi Shaik Rahim.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chatterjee, Mr. S. C.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Das, Rai Bahadur Satyendra Kumar.
Ghose, Dr. Amulya Ratan.
Guha, Babu Prafulla Kumar.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hossain, Nawab Musharruf, Khan Bahadur.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Maiti, Mr. R.
Mittra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mookerjee, Mr. Syamaprasad.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Rahman, Maulvi Azizur.
Rahman Mr. A. F.
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekharaswar.
Ray Chowdhury, Babu Satish Chandra.
Raut, Babu Hoseni.
Roy, Babu Satyendra Nath.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Suhrawardy, Mr. H. S.

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Barma, Rai Sahib Panchanan.
Bartley, Mr. C.
Basir Ud'din, Khan Sahib Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Rai Bahadur Kamini Kumar.
Farequi, the Hon'ble Nawab K. S. M., Khan Bahadur.
Faweus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Sueil Kumar.
Ghose, the Hon'ble Sir S. B.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Bilchriet, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-uz-Zaman.
Khan, Mr. Razaur Rahman.
Leesen, Mr. G. W.
Marr, the Hon'ble Mr. A.
Miller, Mr. C. C.
Mullick, Mr. Mukunda Behary.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-

Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Ross, Mr. J.
Ray, Mr. Saileswar Singh.
Ray, Mr. Sarat Kumar.
Ray, the Hon'ble Mr. Bijoy Prasad Singh.
Ray Choudhuri, Babu Hem Chandra.
Saadatullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Mr. B. R.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.
Wordsworth, Mr. W. C.
Worthington, Mr. R. H.

The Ayes being 41 and the Noes 58, the motion was lost.

6 p.m.

The following motions were then put and lost:—

"That the demand of Rs. 10,17,000 under the head '15—Irrigation' be reduced by Re. 1 (to urge the necessity of irrigation works in the district of Mymensingh and some other districts of East Bengal)."

"That the demand of Rs. 9,27,000 under the head '55—Construction of Irrigation, Navigation, etc., not charged to revenue' be reduced by Rs. 101 (to raise a discussion about the negligence of the Department specially in the 24-Parganas and Jessore)."

The motion that a sum of Rs. 32,93,000 be granted for expenditure under the heads "XIII—Irrigation—Working expenses," "15—Other revenue expenditure financed from ordinary revenue," "15 (*I*)—Other revenue expenditure financed from Famine Relief grants," "16—Construction of Irrigation, Navigation, Embankment and Drainage Works financed from ordinary revenue" and "55—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to revenue" was then put and agreed to.

The following motions under the heads "XIII, 15, 15 (*I*), 16 and 55—Irrigation" were not called, owing to the expiry of the time-limit:—

Babu AMULYADHAN RAY: "That the demand of Rs. 10,17,000 under the head '15—Irrigation' be reduced by Rs. 1,000 (to draw attention to the failure of the Department to tackle the problem of the dead river Bhairab)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Rs. 1,000 (to raise a discussion about the plan of construction of the Meghna Bridge)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Rs. 1,000

(to draw attention to the necessity and urgency of improving the drainage of Tejkhali-Moragang rivers and of the draining of the Bardaha Pabiadaha *bil* waters within union boards Sarachar, Ramdi and Kaliarchar, police-station Bajitpur, and Kuliarchar, subdivision Kishoreganj, Mymensingh, as a means of driving out malaria and prevention of destruction of crops by excessive floods)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 10,17,000 under the head '15—Irrigation' be reduced by Rs. 500 (to draw the attention of the Government to the extreme difficulty of steamer communication in Tangail subdivision)."

Mr. S. M. BOSE: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Rs. 101 (to call attention to the appointment of outsiders to important posts in the Irrigation Department)."

Rai SATYENDRA KUMAR DAS Bahadur: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Rs. 100 (to raise a discussion about failure of the Department to carry out urgent plans of irrigation affecting sanitation with special reference to the canalisation of Dolai *khal* at Dacca)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Rs. 100 (to draw attention to the havoc caused by water-hyacinth and the necessity of taking active steps for its suppression)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Re. 1 (to draw the attention of Government to the necessity of taking steps to dredge the Monikhali *khal* in the district of the 24-Parganas)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 10,17,000 under the head '5—Irrigation' be reduced by Re. 1 (to discuss the attitude of the Government in irrigation matters)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Re. 1 (to draw the attention of Government to cut as early as possible the Katakhali *khal* between Bhorashanga and Peskar *hât* in Chittagong)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 10,17,000 under the head '15—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Re. 1 (to draw attention to the desirability of decreasing the channel toll tax from annas 8 to annas 4 of *Muli* bamboos per hundred in Chittagong owing to the reduction of the price of bamboos)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 1,53,000 under the head 'XIII—Irrigation—Working expenses—Maintenance and repairs of Madaripore Bil Route' be reduced by Re. 1 (insufficient sluices and gates along the bank)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 1,21,600 under the head 'XIII—Irrigation—Working expenses—Maintenance and repairs—Dredgers *Ronaldshay*, *Cowley* and *Burdwan*' be refused."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 13,49,000 under the head 'XIII—Irrigation—Working expenses' be reduced by Rs. 1,000 (to draw attention to the sufferings of the cultivators of the Gopalganj subdivision in the district of Faridpur on account of the construction and maintenance of a *bund* with insufficient number of gates and sluices along the eastern bank of the Madaripore Bil Route canal)."

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Rs. 3,00,000."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Rs. 1,00,000."

Babu SUK LAL NAG: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Rs. 1,00,000."

Rai Sahib AKSHOY KUMAR SEN: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Rs. 2,000 (to raise a discussion about the dredging of the river Chandana within the district of Faridpur)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Rs. 100 (to raise a discussion about the necessity of tackling the problem of water-hyacinth in Bengal without further delay)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Rs. 65 (to raise a discussion how a very big amount is being spent for this purpose without corresponding gains and also to devise means for improving cultivation by means of irrigation)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Re. 1 (to raise a discussion about the failure to devise workable scheme for the protection of Noakhali town and the want of a provision for necessary protective measures)."

Babu SUK LAL NAG: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Re. 1 (to criticise the policy of Government for not furnishing any sum to reclaim the Alaipur and Bemorta *khals* in the district of Khulna)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 23,66,000 under the heads '15—Irrigation' and 'XIII—Working expenses' be reduced by Re. 1 (to raise a discussion on the necessity of economy by amalgamating Irrigation and Civil Works, Road and Buildings, under one control)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 8,20,000 under the head '55—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to revenue—Productive works' be reduced by Re. 1 (to draw attention to the inadequacy of the grant and raise a discussion on the policy of the Government with regard to productive works)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 9,20,000 under the head '55—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to revenue —A.—Irrigation Works' be reduced by Rs. 1,000 (to raise a discussion about the embankments on the Shelai river from Srirampur to Ganchiar, from Baghpota to Radhachak, Pauna circuit embankment, etc.)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 9,20,000 under the head '55—Construction of Irrigation, Navigation, Embankments, etc.—A—Irrigation Works' be reduced by Rs. 100 (to criticise Government in abandoning some embankments in the Ghatal circuit of the Midnapore district)."

Mr. R. MAITI: "That the demand of Rs. 9,20,000 under the head '55—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to revenue—A—Irrigation Works' be reduced by Rs. 100 (to draw attention to the failure of the department to tackle the drainage problems in the district of Midnapore against annual floods)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 9,20,000 under the head '55—Construction of Irrigation, Navigation, etc.' be reduced by Rs. 5 (no necessity of Superintending Engineers in the Irrigation Department in Bengal)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 4,500 under the head '55—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to revenue—B—Navigation, Embankment and Drainage—Productive works' be reduced by Re. 1 (to raise a discussion on the failure of Government to take any steps to avert disastrous floods notably in Eastern Bengal and to urge the expediency of starting researches for the purpose)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 9,27,000 under the head '55—Construction of Irrigation, etc.' be reduced by Rs. 1,000 (to draw attention to the necessity of raising a loan of Rs. 5 crores and to the appointment of a committee to explore the possibilities of doing the same)."

Babu HEM CHANDRA ROY CHOUDHURI: "That the demand of Rs. 9,27,000 under the head '55—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to revenue' be reduced by Rs. 100 (to raise a discussion about Government's failure to make reasonable contribution towards cost of construction and maintenance of the *band* across the Noakhali *khal*)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 9,27,000 under the head '55—Construction of Irrigation, Navigation, etc.' be reduced by Re. 1 (to urge the abolition of the Department of Irrigation)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 32,93,000 under the heads 'XIII, 15, 16 and 55—Irrigation' be reduced by Rs. 100 [to raise a discussion for not making any provision of expenditure under the heads '15 (*I*)—Irrigation—Other revenue expenditure financed from famine relief grants,' and '16—Irrigation—Construction of Irrigation, Navigation, Embankment and Drainage Works']."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 32,93,000 under the heads 'XIII, 15, 16 and 55—Irrigation' be reduced by Rs. 5 (to raise a discussion on the failure of Government to make provision for the Bhairab drainage scheme II with the supplementary scheme as passed by the Council)."

22—General Administration.

The Hon'ble Mr. W. D. R. PRENTICE: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 95,38,000 be granted for expenditure under the head "22—General Administration."

Sir, this grant covers practically every branch of the administration and I do not propose to make any speech in support of the demand.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 2,800 under the head "22A—Staff and Household of the Governor—Private Secretary—Hill and Dacca Allowances" be refused.

Mr. President, Sir, in doing so I should like to submit at the outset that I voice the sentiments of a large section of my countrymen when I rise to protest against the hill exodus policy of Government. Sir, the country is passing through unprecedented financial crisis, for which an all-round retrenchment of 10 *per cent.* has been extended even in the poor salary of forty-rupee clerks. Sir, the retrenchments which have been made have not been found sufficient to make the two ends meet. Bengal is faced with a huge deficit. To balance the budget and to run the ordinary administration, Government is about to incur an unproductive debt of about two crores of rupees at a high rate of interest. Sir, may I ask, is this the proper time to spend money on luxuries?—I purposely call hill exodus a luxury, and not a necessity. Had it been so, the industrial and commercial magnates who piled crores upon crores on business would have removed their offices to the

hills during the summer and the autumn seasons, the banks and the exchange clearing houses would have followed in their trail. But that has not been the case. Sir, the European merchant princes come of the same stock as our rulers and have been bred and brought up under the same climatic conditions. The only difference, perhaps, was that they lived upon the returns of their invested capital while our rulers lived not upon the investment of their own capital but upon our revenues over which they have got unfettered control. It is to be regretted that even in these days of acute economic distress, they should have no scruples to provide for their luxuries even when the money had to be raised by borrowing on the security of the revenues of the province. Sir, if a large section of the influential European community can work in the plains at all seasons of the year, I do not find any reason why the public exchequer should be wasted in providing funds for the luxury of the officialdom of Bengal. If they wanted luxury, let them enjoy it at their own expense. Fat salary is attached to the members of the heaven-born service and any further allowance would be incompatible with the economic crisis with which the country was confronted. If the Private Secretary is required to follow his master, let them privately adjust the travelling accounts among themselves—the *de jure* and the *de facto*, instead of laying hands on the depleted exchequer. It was a matter of the deepest regret that our rulers seldom identified themselves with the weal and woes of the teeming millions placed under their charge. Rulers of the type of Haroun-al-Rashid have become rare in these so-called civilised days.

Sir, if the Private Secretary or any other member of the heaven-born service felt it uncongenial to work under the tropical sun at all seasons of the year, they were at liberty to go back to their own country and there seek out jobs carrying better salaries and emoluments, if possible under congenial climatic conditions, among their own kith and kin.

With these few words, I commend my motion to the acceptance of the House.

The Hon'ble Mr. A. MARR: Sir, I have one small suggestion to make, which I think will save the time of this House, if the mover of this motion and the other gentlemen who have also submitted motions as regards the exodus to Darjeeling accept it. If these gentlemen are prepared not to move these motions, I can assure them that the whole question of the hill exodus will be placed before the proposed Retrenchment Committee. If the movers are prepared to accept this assurance, then the time of the Council will be saved.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

Mr. NARENDRA KUMAR BASU: In view of the assurance given by the Hon'ble Mr. Marr, I do not propose to move the motions standing in my name.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-25 p.m.]

Maulvi HASSAN ALI: Sir, I beg to move that the demand of Rs. 34,500 under the head "22A—Staff and Household of the Governor—Private Secretary" be reduced by Rs. 1,000.

Sir, the reason for this motion is that it is superfluous. My cut is purely an economy cut. Under the present economic circumstances of Bengal, I think this demand for a Private Secretary to His Excellency the Governor of Bengal is superfluous and a luxury. These terms "superfluous and luxury" are relative terms. What is a necessity in good days becomes a luxury and a superfluity in bad days, and there can be no doubt that Bengal has never seen such bad economic distress as it is passing through now during the last 50 years. I, therefore, say, Sir, that this demand is superfluous and luxurious. With these few words I commend my motion to the acceptance of the House.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, as far as I can gather, the mover of this "cut" motion wants to do away with the post of Private Secretary to His Excellency the Governor of Bengal, as being a luxury, in other words he is reluctant to give the Governor a Private Secretary. I do not think that anybody in this House with any experience of the work that His Excellency has got to do can fail to realise that it is absolutely impossible for him to carry on the work without a Private Secretary. I do not think that I need waste the time of the Council further on this matter as the proposal is such an unsound one.

The motion of Maulvi Hassan Ali was then put and lost.

Mr. SARAT CHANDRA BAL: I beg to move that the demand of Rs. 34,500 under the head "22A—Staff and Household of the Governor—Private Secretary" be reduced by Re. 1 (to criticise the policy of the Government in not appointing any qualified candidates belonging to the depressed classes in the Private Secretary's Office).

Sir, I know that it is not the proper place to ventilate the grievances of the backward classes in detail, but still I wish to say a few words on behalf of these classes now.

My motion is a very simple one and in moving this motion I wish to draw the attention of the Hon'ble Member in charge of the Department to the disadvantages of the candidates belonging to the depressed classes for want of a definite policy.

Sir, I think that all the hon'ble members of this House will find, if they kindly take little trouble to have a look at the cut motions in this agenda, that almost under every head of demands there are more than one motion tabled by the representatives of the depressed classes in which they wish to draw the attention of the Government to the disadvantages of the candidates of the depressed classes in the matter of appointments. But it is a strange thing to the representatives of the depressed classes and to those who have any sympathy for them to find that such motions are fortunately in such order that very few of those motions will catch the eyes of time. Sir, truly speaking, our benign Government have got no definite policy before them. It is no fault of the Government. We cannot blame them. If any one is responsible for the want of any such policy it is the backward classes themselves. It is their ignorance, their poverty and their superstitious belief in certain canons of the Hindu *Sastras* that made them meek like the lamb. They thought that the administration of the country is to be carried on by certain classes and they believed that it is a sin to have a share of it. But, Sir, such superstitious belief began to disappear along with the British rule. The British rule has ushered a new era in the life history of the backward classes and I think and I believe that if through the grace of God the British sovereignty continues for a few centuries more, the backward classes will find themselves at the head of all the departments and the so-called advanced classes, who are now carrying on the administration of this country, will find themselves in the same position in which the backward classes are now.

Sir, Government services are not for any particular class. It can never be so. Sir, in a country divided by castes and creeds it can never be the desire of the Government that the advanced classes will monopolise all the services, whereas the backward classes will not get a definite share of it. Sir, the Muslims of Bengal are a backward class and that class has got in every department a definite share of appointments and now we find that that class is making rapid progress. What that class justly deserved, that class has only very recently begun to get. But, Sir, the Namasudras and other backward classes are even now in a very helpless condition.

Sir, in Bengal the population of the depressed classes is 11½ millions, that is to say, a quarter of the total population. But, Sir, may I know from the Hon'ble Member whether those classes have got their men in proportion to their population in every department, not to speak of the office of the Private Secretary? Do the Government consider that there are no qualified men belonging to these classes even to hold the office of a clerk in this department? Sir, I can assure the Government that there are qualified young men, but they do not find any

opportunity to assert their legitimate demands. We have heard much of sympathetic words and we can no more remain satisfied with any assurance unless and until we are informed what definite steps the Government intend to take to give the depressed classes a definite share of appointments.

Sir, I think that, taking into consideration the population strength and their helpless condition, the Government would be pleased to reserve at least 25 *per cent.* of appointments in every department, especially in the Private Secretary's office, for the depressed classes. With these few words, I commend my motion to the acceptance of the House.

Babu JITENDRALAL BANNERJEE: Sir, if Mr. Bal's motion had been more ambitious I would have had the greatest pleasure in supporting it. If he had wanted that the Private Secretary should be recruited from the depressed classes, or better still if he had proposed that His Excellency himself should come from the depressed classes—if that had been the substance of the motion—I would have had the pleasure of supporting him. But, as it is, what does he suggest? A mere paltry clerkship in the Private Secretary's office! This is really in the nature of an anti-climax! It is doing a great injustice to the great depressed community, of which there are so many worthy representatives on the benches over there! Out of respect and consideration for them and the classes which they represent, I would respectfully ask my friend to withdraw this motion and bring forward a more ambitious and far-reaching proposal which will certainly receive the unanimous support of everybody.

Babu AMULYADHAN RAY: Sir, I support wholeheartedly what my friend, Mr. Bal, has said. More than once on the floor of this House this unfortunate question of these unfortunate people has been threshed out threadbare; but nothing has so far been done as a matter of policy, and the Government, far from doing anything, have treated our requests as mere wastepaper. Deputation after deputation has been waited on and representation after representation has been made, but Government have, far from paying any heed to them, treated them as mere wastepaper. It has been said in this very House that the question of the appointment from the backward classes is always before the Government and the matter is being examined in detail and will receive a very sympathetic consideration at the hands of Government; but I will ask the Hon'ble Member to-day whether the demand of the backward classes in the matter of appointments will always remain backward and behind, or whether the matter will ever be examined and our candidates will ever be plucked or the very sympathetic consideration receive a systematic go-by. With these few words I support this motion.

Mr. B. C. CHATTERJEE: Sir, although I deeply sympathise with the last speaker and the honourable mover of this motion, I feel that they must really think the matter over before bringing forward a resolution of this character. Who are the depressed classes? We have in Bengal about 60 or 70 sub-castes which are grouped together under the caption of "depressed classes." As between these different sub-castes, there is no inter-social relation. My two friends will certainly refuse to dine or even to have tea with a member belonging to the caste immediately on the lower rung of the social ladder. They will certainly refuse to have dinner with a Chamar or a Muchi as I would willingly do. I challenge my friends to answer first whether they would dine with him. I invited a Namasudra to dine with me and he refused on the ground that I had lost my caste by going to England. This is the first point. How can Government give a clerkship, on this principle, to a Namasudra rather than to a gentleman who also belongs, according to my friends, to the depressed class, but with whom a Namasudra would not even dine?

The second difficulty is that these gentlemen do not realise that they will always remain depressed if they ask for this sort of special treatment. We see right before our eyes our friends like Mr. Bal and Mr. Mukunda Behary Mullick; and let me ask how have they obtained their conterminous positions with the higher castes? They have done so by educating themselves. The real question is that the men of the depressed classes have not accepted education as quickly and as promptly as the Brahmins, the Vaidyas and the Kayesthas have done. We shall always be glad to vote money specially for the education of these classes whenever money is available. The point is, as our actual experience teaches us, that the moment members of the depressed classes educate themselves, they will find themselves equal to any one like myself or my friend, Mr. Mukunda Behary Mullick. Do the judges refuse to listen to Mr. Mullick rather than to me, when he is quoting a section of the Penal Code or some other Code? The whole problem is that they must educate themselves, and then they will find themselves able to command any position which their education entitles them to do. They ought to take a leaf out of the book of the higher castes. What would have happened to India if the members of the higher castes had asked Englishmen for special treatment in the old days? In the matter of appointments to the Indian Civil Service, for example, our men have competed with Englishmen on equal terms and under equal conditions in their own country. Supposing we did not show such an example to the world in general, and Great Britain in particular, would our claim for self-government have ever been entertained by any one? We had to prove our equality in intellect and other matters with the Britishers on equal terms and under equal conditions before our claim to self-government had ever a chance of a hearing. To-day my

friends want to undo this work by asking for the abrogation of the doctrine of equal rights for all under equal conditions. They are asking the Government to give a job to somebody because he belongs to a particular caste or sub-caste.

Then, my friend has referred to the Muhammadans as a backward class, but that is not right. My friends must realise that the Muhammadans have made a tremendous pace in education and that the position they have begun to occupy now is due to the fact that they have made very great progress in the matter of education. If my friends will do the same and not merely clamour for jobs in this department or that department, I think they will do very much better than they are doing now. I for one shall be very glad if all the positions in Government House are filled by members of the depressed classes. Let them have them. But the point is you cannot say: "Give me a job, because I belong to the depressed class." My friend might as well tell Mr. Prentice, "Why should you not retire and give me your job, because I am a member of the depressed class"? Why talk of only a clerkship in the Private Secretary's office? And I beg my friends not to cast a slur on themselves by calling themselves "depressed." Nobody in Bengal is of the depressed class. You have got depressed classes in Madras where they are not allowed to draw water from the same tanks and wells which are used by the Brahmins, and where they may not approach a Brahmin. That sort of nonsense does not exist in Bengal. Why do they forget all these facts? A Bengali Brahmin is not of the same type and kind as a Brahmin in other parts of India. If my friend will consult any book on the subject, he will find that in Bengal you have really got no sharp distinction between Aryans and non-Aryans. We know that in this province the difference in the nasal index is very little between a man like myself and a man like my friends. It is a well-known fact that all Bengalis are of mixed blood, and that there is not a single Bengali Brahmin who can say that he has got pure Aryan blood. Therefore, let us not bring in these false issues. We all know that under the influence of Buddhism that lasted in Bengal for 1,500 years the Brahmins discarded their holy threads and freely intermarried amongst the other castes. The later Brahmanical revival was far neutralised by the Vaishnavism of Chaitanya which suffused Bengalee life like an underglow. And then came the British whose greatest achievement was the throwing open of the gates of knowledge to one and all.

2-45 p.m.

And the result is that to-day we find ourselves surrounded by men belonging to the so-called lower castes who may some day, I have no

doubt, occupy position in the ministry and other high places. But they can only do so if they keep educating themselves to fit these positions, just like the so-called high caste people, instead of making this special complaint here.

The Hon'ble Mr. W. D. R. PRENTICE: I think it is a pity we should have to discuss the question of the treatment that Government has accorded to the depressed classes or backward classes, whichever you may call them, on such a bad case as that which has now been put forward in connection with the Private Secretary's office.

After all this motion proposes a cut because there is no member of the backward class in the Private Secretary's office. The Private Secretary's office consists of seven clerks, so vacancies in it must be comparatively rare, and whenever a vacancy does occur, every effort is made to get the best man possible. If the treatment of Government towards the backward classes is to be judged by the percentage of clerks from that section of the community in a small office like that, then on the past figures Government has a very bad case. But I am certain that if at any time when a vacancy happens to occur the best applicant is a member of the backward classes, the Private Secretary will select him. In a small office like this, the Private Secretary has to get the best man available, and I do not think you can judge Government's policy towards the backward classes by what happens there.

It has been said that Government has done nothing at all to help the backward classes. I think the member has forgotten the question which was asked and answered in this Council during this session as regards the result of the Government circular issued last April about the employment of the backward classes. The circular is dated 28th April. It begins thus: "Government have had under consideration the question of the recruitment of members of the backward classes to ministerial appointments under Government. They are in favour of encouraging education among the backward classes by making provision for their employment to a reasonable extent in the public services and" the undersigned is directed "to acquaint all departments with the policy which it is proposed to adopt." This circular lays down a policy for the various districts which varies according to what the proportion of the population of the backward classes happens to be in each district. In addition we asked that the decisions should be communicated to all offices subordinate to any department of the Government, for their guidance, and we have called for a return every April to see how far these orders are being carried out.

In addition we called upon all the departments who fill up posts by examinations to alter their examination rules so as to fall in with the new policy of Government. This is the action we have taken as far as

ministerial officers are concerned and I should make it definitely clear that the accusation that Government has done nothing for the backward classes is quite unfounded.

As regards gazetted officers, last year I gave certain figures which showed that qualified candidates from those classes got a larger proportionate share of the appointments in certain services than the more educated portion of other communities have got. The figures for the last two years for the B.C.S. and B.J.C.S. Examinations show that in 1929 three candidates from the backward classes qualified, and that two of these candidates were appointed though the highest backward class candidate was only 22nd on the list. Next year in 1930, out of seven qualified candidates one got an appointment though he was only 21st on the list. In our rules we have reserved 10 *per cent.* or a minimum of one appointment for the backward classes, but the figures I gave last year showed that we had gone considerably beyond that figure, and the two figures I have just given for this year show that, in spite of the fact that these candidates take a very low position in the examination, we gave them two appointments in 1929 and one in 1930.

I think after this explanation, the member will withdraw the motion.

The motion of Mr. Sarat Chandra Bal was then, with the leave of the Council, withdrawn.

The following motions were called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 3,000 under the head '22A—Staff and Household of the Governor—Military Secretary—Hill and Dacca Allowances' be refused."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,40,000 under the head '22A—Staff and Household of the Governor—Military Secretary' be refused."

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that the demand of Rs. 66,000 under the head "22A—Staff and Household of the Governor—Band Establishment" be refused.

In moving my motion I will not repeat a single word that has already been said year after year, probably since after the introduction

of these blessed reforms. I will only ask a few questions of the Hon'ble Member regarding this band establishment. Would he kindly let me know whether the President of the United States has got any band establishment, whether the President of the Soviet Government has got any band establishment, whether the President of the Turkish Republic and the King of Afghanistan have got any band establishment? Compared with the dignity and prestige of the Presidents of these places and the King of Afghanistan, certainly the dignity and prestige of the Governor of Bengal is nothing.

My second object in moving this motion is this. There are certain people in this House who are always clamouring against Ministers' salaries; some want reduction, some want refusal of the salaries. I ask them very seriously, how they are justified in reducing or refusing the Ministers' salaries, when they are not inclined to refuse the band establishment of the provincial Governor. Certainly the Ministers work at least 10 or 12 hours a day; they ought to get some remuneration for that. I am sure in these days of economic distress, particularly this year which is certainly a very bad year, the provincial Governor can do without a band establishment, and thus Rs. 66,000 can go towards the amelioration of the condition of the poor people, particularly the people may purchase some seed to get their crops for next year. May I ask the Hon'ble Member whether when India was governed by the great Moghuls, governed more efficiently, more ably than the British rule in India, they had any band? And the Hindus who ruled for more than 4,000 years, did they require any band? Certainly I believe the Governor can do without a band establishment. My point is that this expenditure is superfluous and the budget for this year at least should be reduced by this amount. We are promised a retrenchment committee, but what will that committee do? Certainly some poor clerks will be reduced, and these high-paid officials will not be touched. I am sure the non-official members of this House on the committee will see that this band establishment is taken away altogether.

The following motions were called but not moved:—

Maulvi AZIZUR RAHMAN: "That the demand of Rs. 66,000 under the head '22A—Staff and Household of the Governor—Band Establishment' be reduced by Rs. 54,000."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 66,000 under the head '22A—Staff and Household of the Governor—Band Establishment' be reduced by Rs. 1,000 (to draw attention to its non-justification)."

Mr. C. R. DAIN: Mr. President: They say that East is East, and West is West, but the East has learnt a certain amount from the West, and we, Westerners, have learnt a great deal from the East and one of the things we have learnt is how to indulge on State occasions in all the proper paraphernalia and pomp that they deserve. The King drives to London in his motor car, and except for those who happen to recognise his car, he will go almost unnoticed. On the other hand, when the Small Causes Court Judges arrive at Hare Street, as they do every day, hundreds of policemen stop your car and allow the Judges to proceed and you see a great man. It is the same when you go round to register a document in the Registrar's office. You are held up for a considerable time by a Judge arriving at the High Court. A Babu friend once said to me that the king of kings was arriving there, and that no one would be allowed to proceed. This is all right, it is perfectly right; it is the custom of the country and we should preserve the country's great customs that have been handed down from generations, and musical culture is among the traditions of India. We should not interfere with anything that upholds the customs of the country by doing things which will upset the dignity of State occasions.

Mr. NARENDRA KUMAR BASU: I beg to support this motion. If I were to accept the argument advanced by Mr. Dain I would say, that in order to have some music for impressing the people of this province, the Governor of the province ought to have, as has been the settled custom of our Indian rulers, a *Nahabat* band or a *Raushan Chowki* band. But I see no reason why the English Governor of this province has to have a band which I do not think plays many times during the year for State purposes, and that at a cost of Rs. 66,000. In these days of distress, I think this is worse than waste. So far as the indigenous people of the province are concerned, I do not really think that they need the music or are fond of the music of this band.

So far as the English, Scotch and Irish members of the Calcutta people are concerned, they can easily afford to subscribe for a band for themselves. I do not know whether the Governor's band has any Scotch bagpipes, or if the Scotchmen of Calcutta want it. Even if they do (VOICES: They do not. There are no bagpipes), I am told that there are no bagpipes. If the English people want a band for their Monday evening's delectation, they can surely subscribe for one. I do not think that a band is considered necessary for State occasions because the unfortunate people of Bengal are still under tutelage and must be lulled into a sense of loyalty by bands. I think that if the Chamber of Commerce have a band of their own, they can lend it to the Governor

now and then for ceremonial occasions and it can play in the Eden Gardens on Monday evenings.

Adjournment.

The Council was then adjourned till 3 p.m., on Friday, the 18th March, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Friday, the 18th March, 1932, at 3 p.m.

Present:

MR. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 111 nominated and elected members.

Starred Questions

(to which oral answers were given).

Ghatal Circuit Embankment, Midnapore.

***146. Rai Sahib SARAT CHANDRA MUKHOPADHAYA:** (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state whether it is a fact that the Ghatal Circuit Embankment in the district of Midnapore, which included the *mauzas* Argarah, Sukchandpur, Raghunathchak, Gambhirnagar, Nischintapur, Chaulia and Sringpur, has been abandoned for the last five or six years?

(*b*) Is the Hon'ble Member aware that the *raiyats* of these *mauzas* had to give up even their paddy cultivation in consequence of the abandonment of the embankment and that they are in great distress?

(*c*) Is it not a fact that the *zamindars* and *patnidars* of the *mauzas* have been unable to realize their dues from the *raiyats* of these *mauzas*?

(*d*) Do the Government intend—

(*i*) to abandon this embankment permanently; or

(*ii*) to maintain this again with a view to relieve the distress of the local people?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): (*a*) The embankment was abandoned in 1927 except a small part most of which was abandoned in 1931.

(*b*) It is reported that *aman* paddy and *boro* paddy and potatoes are grown in the area, but that in some years part of the area does not produce crops owing to floods. It was decided not to close the breaches because formerly breaches frequently occurred and there was great damage to crops and the land which was already 6 to 7 feet below the level of the land outside would have become water-logged. Now the land is rising and is more fertile and the floods drain off more quickly. Some distress is caused by the flood, but it is not considered that the condition of the people is worse than it was and it is likely that it will improve in consequence of the abandonment of the embankment.

(*c*) No accurate information is available on this point at present.

(*d*) (*i*) Yes.

(*ii*) No. From the results so far observed the probability is that restoration of the embankment would, beside stopping the improvement now going on, ultimately convert the area at great cost into an unhealthy morass. The solution will however be watched.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state if he is aware that *boro* paddy grows in water-logged areas?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I am perfectly aware.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state with reference to his answer (*c*) that no accurate information is available, what is the inaccurate information that he has got?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: Government do not deal in inaccurate information.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state if he is prepared to ask the Hon'ble the Revenue Member what is the amount of the revenue that is being paid by these areas?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I am not prepared to do so.

Babu SATYA KINKAR SAHANA: Will the Hon'ble Member be pleased to state if we are to understand from his answer that for the improvement of a locality God-sent floods are a better agency than man-made embankments?

Mr. PRESIDENT: I do not allow that question.

Barisal Co-operative Central Bank, Ltd.

***147. Mr. B. C. CHATTERJEE:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing the names of the directors of the Barisal Co-operative Central Bank, Limited, chosen from among the preference shareholders and from among the societies, respectively, from the year 1920 to 1931, who held office as such for more than three years in succession and were reappointed as such directors before the expiration of two years from the date on which they last ceased to be members?

(*b*) Will the Hon'ble Minister be pleased to state whether the holding of the office of directors of the abovementioned bank for more than three years on end was sanctioned by the Department?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) by what officers such sanction was given;

(*ii*) the respective dates of such sanction; and

(*iii*) the reason for such sanction of a departure from the ordinary rule?

MINISTER in charge of AGRICULTURE AND INDUSTRIES DEPARTMENT (the Hon'ble Nawab K. C. M. Faroqui, Khan Bahadur): (*a*) A statement is laid on the table.

(*b*) Yes.

(*c*) (*i*) and (*ii*) The member is referred to the statement laid on the table in reply to clause (*a*) of the question.

(*iii*) There has been no departure from any rule. Consent was given under No. 13 (*I*) of the Rules framed by Government under the Act to the continuance in office of such directors whose retention was considered desirable in the interest of the Central Bank and who were re-elected as such by the general meeting of shareholders.

Statement referred to in the reply to clause (a) of starred question No. 147.

Names of directors of Barisal Central Co-operative Bank, Ltd., who held office for more than three years in succession or who became directors before the expiry of two years from the date on which they last ceased to be directors and who were elected from among—		Officer who consented to the retention of directors mentioned in column 2.	Date of sanction.
Preference shareholders. (a)	Ordinary shareholders. (b)		
1920-21.			
1. Babu Kali Prasanna Guha .. 2. Khan Bahadur Hemayetuddin Ahmed. 3. Rai Mathura Nath Sen Bahadur.	....	Assistant Registrar of Co-operative Societies, Dacca Division.	4th November, 1920.
1921-22.			
1. Khan Bahadur Hemayetuddin Ahmed. 2. Rai Mathura Nath Sen Bahadur. 3. Babu Kali Prasanna Guha. 4. Babu Amrita Lal Ganguly.	....	Ditto ..	12th November, 1921.
1922-23.			
1. Babu Kali Prasanna Guha .. 2. Khan Bahadur Hemayetuddin Ahmed. 3. Rai Mathura Nath Sen Bahadur.	....	Ditto ..	Not available.
1923-24.			
1. Babu Kali Prasanna Guha .. 2. Rai Mathura Nath Sen Bahadur. 3. Babu Chand Mohan Chatterjee.	....	Ditto ..	2nd November, 1923.
1924-25.			
1. Babu Kali Prasanna Guha .. 2. Babu Chand Mohan Chatterjee.	....	Ditto ..	Not available.
1925-26.			
1. Babu Kali Prasanna Guha .. 2. Rai Mathura Nath Sen Bahadur. 3. Babu Chand Mohan Chatterjee.	....	Ditto ..	7th November, 1925.

Names of directors of Barisal Central Co-operative Bank, Ltd., who held office for more than three years in succession or who became directors before the expiry of two years from the date on which they last ceased to be directors and who were elected from among—		Officer who consented to the retention of directors mentioned in column 2.	Date of sanction.
Preference shareholders. (a)	Ordinary shareholders. (b)		
1926-27.			
1. Babu Kali Prasanna Guha .. 2. Rai Sahib Ganga Charan Das. 3. Babu Chand Mohan Chatterjee. 4. Babu Ramesh Chandra Ganguly.	....	Assistant Registrar of Co-operative Societies, Dacca Division.	3rd December, 1926.
1927-28.			
1. Babu Kali Prasanna Guha .. 2. Babu Chand Mohan Chatterjee. 3. Babu Ramesh Chandra Ganguly.	....	Ditto ..	18th December, 1927.
1928-29.			
1. Babu Kali Prasanna Guha .. 2. Rai Mathura Nath Sen Bahadur. 3. Babu Ramesh Chandra Ganguly.	Maulvi Abdul Gaffur.	Ditto ..	20th December, 1928.
1929-30.			
1. Babu Kali Prasanna Guha .. 2. Rai Sahib Ganga Charan Das. 3. Babu Ramesh Chandra Ganguly.	....	Ditto ..	23rd November, 1929.
1930-31.			
1. Babu Kali Prasanna Guha .. 2. Rai Sahib Ganga Charan Das.	....	Ditto ..	18th June, 1931,

Barisal Co-operative Central Bank.

*148. **Mr. NARENDRA KUMAR BASU:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing from 1920 to 1931 the name or names of the directors from preference shareholders and also from societies, if any, of the Barisal Co-operative Central Bank in the Dacca division who held office as such for more than three years in succession and were reappointed before two years from the date on which they ceased to be members?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: The member is referred to the statement laid on the table in reply to clause (*a*) of a starred question on this subject asked by Mr. B. C. Chatterjee at this meeting.

Short notice question.

Hijli Special Jail incident.

***148A. Mr. SYAMAPROSAD MOOKERJEE:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether any outbreak took place at the Hijli Special Jail on or about 8th March?

(*b*) Is it a fact that the detenus were severely assaulted and many of them have been seriously wounded and some of them had to be removed to hospital?

(*c*) Will the Hon'ble Member be pleased to make a full statement on the matter and also state what action has been taken by Government?

(*d*) Who is the present jailor at Hijli and how long has he been in office?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) Yes, a disturbance was created by prisoners in the Additional Special Jail, Hijli, on the 8th March, 1932.

(*b*) There are no detenus in that jail, but only convicted prisoners. No prisoner was severely assaulted or injured; but in the course of being removed to their wards some unruly prisoners declined to go and deliberately obstructed the warders on duty. In the melee which ensued some warders and a few prisoners were slightly injured. The Jail Sub-Assistant Surgeon gave them medical help on the spot.

(*c*) It is reported by the Jail Superintendent that on the night preceding the occurrence some of the Civil Disobedience prisoners made an opening in the mat wall and fence of a ward and created a great disturbance by shouting. The warder on duty requested them to stop doing that. This led to an altercation between the warder and some of the prisoners who threw broken *jaffris* at the warder. In spite of a second warning the prisoners continued to make a noise, rushed out of their wards and assaulted the warder. The jailor thereupon ordered the staff to lock up all unruly prisoners but the latter refused to go and in the course of being removed some of the prisoners were injured and also some of the warders. As a protest 1,408 prisoners said that

they were going on hungerstrike. After the first day of strike all the prisoners except 120 were taking their food while the hungerstrike completely ceased on the 11th March. No action by Government was considered necessary.

(*d*) The jailor was appointed to this jail in April, 1931. Government do not consider it advisable to state his name.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if any superior officer from Calcutta visited the special jail after this occurrence to make an inquiry?

The Hon'ble Sir B. B. GHOSE: As far as I am aware, no.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to tell us whether these prisoners were convicted under the ordinary law or a special law?

The Hon'ble Sir B. B. GHOSE: It is difficult to say that.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to tell us if there was any use of firearms?

The Hon'ble Sir B. B. GHOSE: No, as far as my information goes.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether this disturbance is due to the scarcity of water in the jail?

The Hon'ble Sir B. B. GHOSE: I do not think so.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state if there are any Civil Disobedience prisoners in any jail?

The Hon'ble Sir B. B. GHOSE: In every jail there are such prisoners.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if only Civil Disobedience prisoners are kept in the special jail at Hijli?

The Hon'ble Sir B. B. GHOSE: No, there are also other prisoners in that jail.

DEMANDS FOR GRANTS.

The discussion under the head "22—General Administration" was then resumed.

Dr. NARESH CHANDRA SEN GUPTA: I suppose that the Hon'ble Mr. Prentice must have been crying to be saved from his friends when Mr. Dain rose yesterday to oppose this motion. What was stated by Mr. Dain looked very much like strong support for the motion for putting down the elaborate nonsense that passes here under cover of maintaining the pomp and prestige of Government. That is a larger question with which we are not concerned at present. The only question is whether in the present year of distress this particular expenditure on a luxury could not be omitted. That is the simple question, and if it were a question about an ordinary person there would be only one answer to it, *viz.*, that the man who was going on for a loan of Rs. 1,64,00,000 to carry on his daily life was not in a position to maintain a band at that cost.

Babu SATISH CHANDRA RAY CHOWDHURY: I would not have spoken on this motion but for the way in which Dr. Sen Gupta put it; I want to go higher. Yesterday a member opposing this motion spoke of the dignity of the office. I think we ought to change our mind as to what makes for dignity and what does not make for dignity. As we understand the word, I think the band establishment does not at all add to the dignity of the office. We are accustomed to different ways of life in India, and the sooner we appreciate it in its proper light the better for us. What do we understand by "dignity"? We know that the band establishment and other paraphernalia do not make for dignity. Had it been so, Mr. Gandhi, half-naked as he is, would not command that prestige and universal respect as he does to-day. So it is not for the sake of prestige that this band establishment has got to be kept up. The sooner it goes the better. Our idea of dignity is different not only at the present time but for all time to come. Certain members speaking yesterday stated that *nahabat* and other things were kept by *rajas* and *maharajas* previously; but their sons have grown wiser and these things have ceased now. If they had gone on playing *nahabats*, etc., while their tenants and neighbours were going on half meals, naked and half starved, certainly that would not have added to their dignity.

So, Sir, if we want that this item should go it is for this reason that according to our estimation it does not make for dignity. Of course, we cannot say the same thing about other cuts. Take for

instance the bodyguard. We are bound to give protection to the person of His Excellency and as a matter of fact I do not think that we should press for this cut. But all items which provide for unnecessary expenditure without adding in any way to the utility or dignity of the official concerned should be cut out not only for this year but for all years to come.

Babu SATYENDRA NATH ROY: Last evening I had no idea that I would speak in support of this motion. But a sense of public duty impels me to do so. Sir, much eloquence has been spent on this item for the last 10 years systematically. But, Sir, this year we are trying to administer the province with a loan of 2 crores of rupees and we have made cuts even in the salaries of hard-worked clerks getting a pay of Rs. 40 and upwards. I think the members of this Council can imagine what it means to a man getting Rs. 40, Rs. 50 or Rs. 60 to have a cut of 10 *per cent.* in his pay. Sir, the heavy taxation from which the high officials drawing Rs. 64,000 *per annum* and other high officials suffer and about which they make complaints has compelled them to reduce their household expenses, and this should be a lesson to the custodian of the public exchequer. I think, Sir, this amount of Rs. 66,000 is not required for the administration of the province, and I think the music is played inside the Government House and I think His Excellency seldom enjoys it—of course we do not know about this. We know very well that even His Majesty the King-Emperor has cut down his own expenses and when the new Governor, Sir John Anderson, is shortly coming, I think this item of expenditure should be placed before him for his consideration, so that the province may be benefited by this economy not only for this year but for some time to come.

Mr. W. L. ARMSTRONG: I should have thought that after the assurance given by Mr. Marr that all these items would come before the Retrenchment Committee, motions like this would disappear. Mr. Hashemy remarked that Europeans might like the band but that the Indians did not. I can assure the members that there are among the non-official European members a strong desire for economy, but we know that all these items would come before the Retrenchment Committee and that Committee will be in the best position to consider the necessity or otherwise of retaining the band and other establishments. There seems to be a difference of opinion regarding the utility of the band and the bodyguard. The previous speaker was in favour of abolishing the band and retaining the bodyguard and there are others who would do just the reverse. I personally am not keen on the bodyguard, but I would retain the band.

Sir, Mr. Hashemy cited the analogy of the President of the United States of America and the President of Soviet Russia. Well, Sir, I can say with regard to the United States that I have read the speeches of two Presidents who could not have spoken in more praiseworthy terms of the British administration in India had they been British-born subjects. With regard to the Russian Soviet Republic, I have no doubt that Mr. Hashemy is in closer personal touch with it than any member of this House. I hope that those members who are about to move their other motions will see that in trying to practise economy they may not lay this great province open to a charge of meanness.

Sir, the new Governor will shortly be coming here, and I am sure that having regard to the general demand for economy he would certainly like to see what economy could be effected in his own establishment and would see that justice is done to the province in regard to these items.

Maulvi ABUL KASEM: This motion for the refusal of the expenditure of His Excellency the Governor's band has been discussed on the floor of this House for more than 12 years, and so far as I understand, the non-official opinion has been, if not emphatic, at any rate, strong on this point. But on the present occasion I very much regret that I cannot join hands with my friends on this side of the House. Sir, certainly economy is necessary, but I may point out that for the Governor of a province certain ceremonies and ceremonials are also equally necessary. It has been said that without ceremony and without pomp and splendour people do come to be respected; that is certainly true. But ceremony and pomp or, for the matter of that, the paraphernalia of red-coated *chaprasis* or band or bodyguard are certainly not necessary for the gentlemen of the church. But I may say that for a Governor of a province to live on 12 oranges and half a seer of goat's milk is neither possible nor desirable. There are other sources, and much more important sources, of economy that can be effected. I do not know what the decision of the Retrenchment Committee will be, but if any honest attempt be made for effecting economy, certainly there will be found many avenues of expenditure for curtailment. I think we, the non-official members of this House, should concentrate our attention on such matters where large amount of public money is extravagantly spent, and not trouble ourselves with these minor details. Sir, if the question of strict economy and plain living is to be considered, instead of disbanding His Excellency the Governor's band or bodyguard, the better course would be to ask the Executive Councillors and Ministers and the Secretaries and other officials of the Writers' Buildings to curtail their expenditure and carry on their work without, for example, stenographers, without *chaprasis* and without any other superfluous paraphernalia. Besides that, if I may say so, it was stated in the Legislative Assembly when the President's salary was fixed

that men of position and responsibility should live on meagre salary, and the President should get a salary of Rs. 200 or Rs. 300. That is not the point. The point is that the President of a Council or the Governor of a province has to maintain certain dignity of the office he occupies —not personal dignity, but the dignity of the position he holds. For a great ruler, some pomp and ceremony are absolutely necessary. Even the head of the church—the Pope of Rome—has got his Secretary of State and his bodyguard and band. So if the head of the church requires some sort of dignity and pomp and splendour, in this mundane world the Governor of a province who has nothing to do with the church should certainly require his band, bodyguard and other paraphernalia.

3-15 p.m.

The Hon'ble Mr. W. D. R. PRENTICE: Mr. Abul Kasem has taken out of my mouth the one point with which I wanted to start off in order to meet the point raised by Babu Satish Chandra Ray Chowdhury. He raised the question of dignity. It is not a question of the personal dignity of the Governor. When Bengal became a Governor's province in 1912 it was then decided that the Governor of the Presidency should be treated exactly in the same way as the Governors of the other two Presidencies, namely, Madras and Bombay. Part of the pomp and circumstance that they were in possession of for the purpose of official dignity was a band and a bodyguard, and it was decided that the Governor of this Presidency should have the same establishment. It is not a question whether Sir Stanley Jackson or Sir John Anderson or Lord Lytton or whoever the Governor may be personally wants a band; nor is it a question of a provincial Government having a band. It is part of the appurtenances appertaining to the office of Governor. When the band was first appointed, a good deal of money was spent on it. Then the question of economy came up about the year 1925 and the whole question of the proper cost of the band was gone into. That was in Lord Lytton's time, and it was then decided that it was impossible to maintain a band of the standard desired for much less than Rs. 70,000, and the promise was made that that expenditure would not be exceeded. If you look into the accounts you will find that it has always been kept within that figure. As was said in this Council on several previous occasions, if you want to reduce the amount you have got to alter the character of the band. One of the previous speakers said that the matter should be placed before the new Governor. I agree with him. We are now nearing the end of the term of one Governor and a new Governor is about to take over, and it will be for him to consider what the situation requires. He may come to the conclusion that he will be content with a band of a different type. He may think that the present type of band can be done away with, and a string

band substituted in which case the cost will be reduced, or he may think that he will not be doing his duty to his office, whatever his personal feelings may be, in reducing the state in which the office of Governor should be carried on. I am perfectly certain that this matter too will be considered by the Retrenchment Committee and as Mr. Armstrong explained, the whole position can then be reviewed. For there seems to be a difference of opinion regarding the comparative utility of the different paraphernalia of the Governor. Mr. Armstrong is keen on the band but not on the bodyguard, while Babu Satish Chandra Ray Chowdhury wants to keep the bodyguard and not the band (Babu SATISH CHANDRA RAY CHOWDHURY: For the safety of the Governor.) In any case, they will both be placed before the Retrenchment Committee, and I am perfectly certain that if that Committee makes any recommendations the Governor will give them his full consideration. I suggest that it is not proper now to make any reduction in the existing band, and I hope the Council will reject this motion.

The following motion was then put and lost:—

"That the demand of Rs. 66,000 under the head '22A—Staff and Household of the Governor—Band Establishment' be refused."

3-30 p.m.

Mr. NARENDRA KUMAR BASU: Sir, I beg to move that the demand of Rs. 31,450 under the head "22A—Staff and Household of the Governor—Bodyguard—Pay of establishment" be reduced by Rs. 5,000.

Sir, I am moving this cut not in order to deprive the Governor of the bodyguard which is for the purpose of safety, but to suggest that the four troopers who stand at the two gates of the Government House for several hours during the day are absolutely unnecessary even in an eastern country, and I think it is not known to all the members of this House because it is a very recent innovation. I do not think that in these days of stress and difficulties through which this province is passing this extra expenditure need be incurred; every little help in these days must be availed of. I do not know whether the reply will be that this matter will also go before the Retrenchment Committee; but this is a matter in which the Council ought to make its opinion felt by saying that there ought to be this reduction, because four troopers mean twelve men and twelve horses. I, therefore, think that this had better be abolished now.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that the demand of Rs. 76,000 under the head "22A—Staff and Household of the Governor—Bodyguard" be reduced by Rs. 1,000 (to discuss the utility of the bodyguard).

Sir, like anybody else I quite realise the utility of having a bodyguard for a provincial Governor. Far from speaking of a provincial Governor, I was seriously thinking of appointing a bodyguard for myself to save my head from the *lathi* charges of the police. My object in moving this motion is to prove the irresponsibility and inefficiency of the bodyguard of His Excellency the Governor. Sir, I am sure it will not be out of place if I say that the other day the person of His Excellency the Governor was very dangerously exposed at the Convocation, and I do not know what the bodyguard was doing then. The Military Secretary and an Aide-de-camp were there attending on His Excellency and probably they were snoring under the influence of opium when the first two shots were fired, and when the third shot was fired they were probably thinking more of themselves than of the person of His Excellency. Then Dr. Suhrawardy and somebody else—Mr. Mookherji I think—interfered in time, and if they had not interfered I am afraid the last two shots would have hurt His Excellency. In this connection I may remind the Hon'ble Member-in-charge that in future he might see that Aides-de-camp are recruited from Indians. I may say also in this connection that the very foundation of the British Empire here was laid by Indians. The life of Warren Hastings was saved by an Indian. If I may be allowed to go a little further, I may say during the sepoy mutiny the British were saved from utter annihilation by Indians, and, Sir, on the last occasion the life of His Excellency was saved by an Indian and not by a bodyguard. I am sure I shall not be irrelevant if I again impress on the Hon'ble Member that the Aides-de-camp and the Military Secretary should be recruited from Indians who will certainly save the lives of their masters. They have in the past sacrificed their lives. I may be permitted to say that the present set of persons are an irresponsible body of men. Of course, Sir, I quite appreciate that Dr. Suhrawardy has been knighted and I would have further appreciated if the two religious fanatics accused of the College Street murders——

Mr. PRESIDENT: We have nothing to do with that.

Maulvi SYED JALALUDDIN HASHEMY: With these few words, I would request all sections of this House to support my motion and do away with the inefficient bodyguard of His Excellency the Governor.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I am afraid that I have nothing new to say about this bodyguard, except to say that it was not on duty at the Convocation and that the Military Secretary and the Aide-de-camp do not come under this demand at all. Moreover, if Mr. Hashemy will look up the Civil List, he will see that there are some Indian Aides-de-camp. Apart from that, I may remind the

House again that the bodyguard is one of the things which distinguishes a presidency Governorship from an ordinary Governorship. Last year I told the House that His Excellency, in his desire for economy, was going to reduce the expenditure under this head by Rs. 10,000, and this year if you look at the budget, you will find that he has further reduced the bodyguard, and has done away with one European officer and a certain number of the *sowars;* and the budget demand for next year is Rs. 95,000 as compared with Rs. 1,24,000 last year. I think that from these figures you will find that the utmost economy is being exercised. Some of the speeches that have already been made this afternoon show that a certain section of the House recognises that a bodyguard is essential for the safety of the Governor. I may also remind the House that the bodyguard is also used in maintaining law and order when conditions in Calcutta require all the available forces to be used for that purpose.

The motions of Mr. Narendra Kumar Basu and Maulvi Syed Jalaluddin Hashemy were then put and lost.

The following motions were called but not moved:—

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 24,960 under the head '22A.—General Administration—Staff and Household of the Governor' be reduced by Re. 1 (to draw attention to the imperative necessity for discontinuing the policy of hill exodus until the financial position of Government improves)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 3,31,000 under the head '22A.—Staff and Household of the Governor' be reduced by Rs. 1,000 (to raise a discussion about the extravagance at this time of financial crisis)."

Mr. NARENDRA KUMAR BASU, Rai KESHAB CHANDRA BANERJI Bahadur, Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 650 under the head '22D—Executive Council—Hill allowances' be refused."

Babu SATISH CHANDRA RAY CHOWDHURY: May I ask the Hon'ble Member whether this question of the travelling allowance of the Executive Council will be submitted to the Retrenchment Committee?

The Hon'ble Mr. W. D. R. PRENTICE: I think the Hon'ble Member in charge of the Finance Department told you yesterday that all these matters would be placed before the Retrenchment Committee. As regards this travelling allowance, unless you want to tie the Hon'ble Members down to Calcutta, apart from the question of hill exodus, some

provision should be made for travelling allowance under this head. I may add that I am just told by the Finance Secretary that this question along with the question of hill exodus will be placed before the Retrenchment Committee.

Babu SATISH CHANDRA RAY CHOWDHURY: In view of the statement made by the Hon'ble Member I would ask for leave to withdraw the motion which stands in my name.

The following motion was, by leave of the Council, withdrawn: —

"That the demand of Rs. 1,900 under the head 22D —Executive Council—Travelling Allowance' be refused."

Mr. SHANTI SHEKHARESWAR RAY: Sir, I am afraid the Retrenchment Committee cannot help me at all, as I move that the demand of Rs. 7,000 under the head "22D—Executive Council—Supplies and Services and Contingencies" be refused.

Sir, in this connection I want to draw attention to a most grievous piece of bungling on the part of the Government of Bengal. I know that I cannot touch the Hon'ble Member in charge of the Political Department, though there is no wire-netting between us. I know also that the House has no effective voice in the matter of his salary, but we can refuse the provision for stationery as a measure of protest——

The Hon'ble Mr. W. D. R. PRENTICE: Sir, may I tell the House that stationery does not come under this head?

Mr. SHANTI SHEKHARESWAR RAY: Anyway, Sir, I would like to refuse the contingencies. In this connection I want to take the opportunity to give expression to the deep sense of grave disappointment and not a little resentment that the people feel at the clumsy resolution of the Government on the report of the Hijli Inquiry Committee.

Mr. PRESIDENT: What has that got to do with this matter?

Mr. SHANTI SHEKHARESWAR RAY: Sir, of course, it depends on your ruling. If you rule that I cannot raise any action of the Government of Bengal in connection with the Hijli incident, I have nothing to say.

Mr. PRESIDENT: Yes, that is my ruling, because yours is not a token cut. You want to refuse the whole expenditure and you must base your remarks on economic grounds principally.

Mr. SHANTI SHEKHARESWAR RAY: Sir, my submission is that I am not moving it on economic grounds, but I want to refuse the demand as a matter of protest.

Mr. PRESIDENT: I do not think you can do that.

Mr. SHANTI SHEKHARESWAR RAY: Sir, if that be your ruling, then my motion falls to the ground.

Mr. PRESIDENT: The position is that you have already moved your motion and so you must either withdraw it or I must put it.

Mr. SHANTI SHEKHARESWAR RAY: In view of your ruling I have no other alternative but to withdraw it.

The motion of Mr. Shanti Shekhareswar Ray was then, by leave of the Council, withdrawn.

3-45 p.m.

Mr. SHANTI SHEKHARESWAR RAY: Here, too, I am faced with the same difficulty. I want to refuse this grant as I am not satisfied with the policy of the Government towards the Hindu community of Bengal, but in view of your ruling, I do not move it.

The following motion was, therefore, not moved:—

"That the demand of Rs. 13,000 under the head '22D.—Executive Council' be refused."

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 13,000 under the head "22D.—Executive Council" be reduced by Rs. 6,500.

The Council will notice that I propose a reduction by exactly half. In other words, my suggestion is that instead of there being four Executive Councillors, there ought to be only two. We cannot move for a reduction in the number of Executive Councillors, and therefore I have moved for a reduction in their offices.

I have always been of the opinion, and that is the opinion which I think will be shared by many of my friends, that four Executive Councillors and three Ministers have been an altogether unwarranted extravagance on the part of a province like Bengal, and but for the fact that there is a question of balancing interest against interest and community against community, such a huge number would not have been there.

The Hon'ble Mr. W. D. R. PRENTICE: Is this in order in view of the fact that this motion is for a reduction of supplies and services for Executive Councillors?

Dr. NARESH CHANDRA SEN GUPTA: My submission is this——

Mr. PRESIDENT: If I am to judge by the words you have actually employed, I must say that your is an economic and not a token cut.

Dr. NARESH CHANDRA SEN GUPTA: It is an economic cut. I want to deprive the Executive Councillors of half of their allotment under head "22D—Executive Council." The Executive Councillors may be there, I do not object to that, but let them not have these conveniences, and this motion is only by way of protest against the extravagance of having four Executive Councillors at the present moment.

Mr. PRESIDENT: In that case you should have adopted a different course. You should have given notice of a token cut which would have enabled you to attack the Executive Councillors under this head of the budget. You can support any other motion that may be moved for a reduction of their salaries. So far as this particular motion is concerned, I do not think it can serve your purpose.

The motion of Dr. Naresh Chandra Sen Gupta was then, by leave of the Council, withdrawn.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 500 (to draw attention to the necessity of reducing the number of Members of the Executive Council from four to two).

May I have your permission to change the figure in my motion, and change it from two to one?

Mr. PRESIDENT: Yes, you may.

Maulvi SYED JALALUDDIN HASHEMY: The object of moving this cut is this. With the scanty knowledge of the intricate problems of administration, the little experience that I have gathered in the last three years, I have found that the Hon'ble Mr. W. D. R. Prentice, the shining jewel of the Indian Civil Service, is enough for the administration of Bengal. I think also in this connection that the necessity of the other three Members of the Executive Council, I mean the services of the Hon'ble Sir A. K. Ghuznavi and the Hon'ble Sir B. B. Ghose are quite unnecessary. They are always guided by Mr. W. D. R. Prentice in every matter. Then as regards the Hon'ble Mr. Marr, I can safely say that his functions can well be conducted with instructions from

Mr. W. D. R. Prentice. Therefore, in these days of economic crisis, let the other Members go, and let us have an experiment. Mr. W. D. R. Prentice will hold office for two years more, and if we give him another five years, everything will go on well and there will be no disturbance and no political agitation, or anything else. So I move that the number of Executive Councillors be reduced from four to one.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 5 (number of Executive Councillors).

I propose in my motion to reduce the number of Executive Councillors. Like Mr. Hashemy I do not think that this is a matter on which I should pass any judgment at present, but what I want to say is that we are now working with a top-heavy administration, a top-heavy administration which we can no longer bear, and it is easy to see that we are at our last gasp. This question of the number of Executive Councillors and Ministers came up before the Retrenchment Committee in 1922 and after an elaborate discussion and having considered the matter from all points of view, the Committee said, as a matter of fact, "there was no dispute" and that they believed this large number of seven unnecessary and was not justified by the work that had to be done. "There was no dispute"—mark the words—on this point. In 1922 there was no dispute on the point. If the number seven was too large then, in the year 1932, we have every ground to say that there is not only no dispute, but we are all agreed that we have got to get rid of some of them immediately, if we are not to go bankrupt fully. There is no dispute on the point. "In our opinion" the Committee said "there is ample justification for a Government consisting of only two Members and two Ministers." Here I stand on very solid ground as it was agreed that two Executive Councillors and two Ministers would be sufficient to carry on the administration of the province. Since then much water has flowed down the Ganges, and we have arrived at this position to-day that we have got to pay an interest on Rs. 25 lakhs a year on our debts. I am reminded in this connection of a statement made by one high official who recently held a *durbar* in one of the towns. In that he described the present Government as in the position of a common manager, and we are all co-sharers in the estate. In that estate, he said, the Hindus had a 7½ annas share, and the Muhammadans 8½ annas, and until both sections were agreed, it would be unwise, it would be wrong to part with the self-imposed trust. I have no dispute personally with that observation. I believe there is some truth in it. Until Hindus and Muhammadans can combine together, it may not be possible for us to pitch our demand to that height successfully——

Mr. PRESIDENT: I think you are going beyond your motion. Why do you bring in all these under this motion?

Babu SATISH CHANDRA RAY CHOWDHURY: Assuming that a common manager is necessary, may we not demand that this common manager should administer the estate efficiently? Is not economy one of the principal factors in the efficient administration of the estate?

Mr. PRESIDENT: You are pursuing a roundabout way, to say the least of it.

Babu SATISH CHANDRA RAY CHOWDHURY: I submit that the Government at present is not keeping in view this principal factor of efficiency in the administration. As a matter of fact it is ignored completely. The principal factor of efficiency, I again repeat, is economy. The present number of Members of the Government, namely, seven, really does not make for efficiency. It amounts to bankruptcy pure and simple. If a private estate had been administered in that way, certainly the *zamindar* or the *raja* or any private person would really be heading for a crisis and would deserve the greatest censure. I submit that there is hardly any justification at this stage for this extravagance in our administration.

4 p.m.

I do not for myself see any very great change in our economic position or even in our political position since the time of the Lieutenant-Governors. There were no Executive Councillors, no Ministers, but still the administration went on as it is going on now. That, Sir, requires justification. It requires a good deal of argument to convince us that the huge paraphernalia and the huge staff of the present administration is a necessary evil. I have already submitted, Sir, that the matter was examined from all possible points of view by the Bengal Retrenchment Committee, and I think we should all be agreed on this point that at least two Members of the Executive Council and two Ministers would be enough to carry on the administration and ways and means should be found to cut down the expenditure under this head so that there may be only two Members of the Executive Council and two Ministers.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Re. 1 (to discuss the necessity for reducing the number of Executive Councillors).

Sir, while speaking on the retrenchment resolution of Mr. J. N. Gupta, the other day, I voiced the public opinion that the administration of this country was top-heavy, and every member of the House who spoke on that occasion, also very emphatically dealt with that point. I do not think that it is necessary for us now to reiterate what we have already said before, and even what had been said many years before—as has been pointed out by Mr. Ray Chowdhury—I mean by the Retrenchment Committee of 1922. It is also not necessary for me to remind the House that before the Reforms were inaugurated, a much larger Bengal was governed by only one Lieutenant-Governor with the help of the Chief Secretary and one or two more Secretaries, and I think, governed very efficiently. At the present moment, besides the Governor, we have got a Cabinet of seven Members and Ministers, eight Secretaries, four Deputy Secretaries, several Under-Secretaries, Assistant Secretaries, Registrars and others. Sir, I do not deny that the work of administration since 1912 has become more and more difficult. I do not deny that it is the expanded Legislative Council which is responsible to a very large extent for the increase in the number of Cabinet members and their Secretaries. In spite of that, Sir, I am of opinion that the Cabinet which we have at present is certainly a very extravagant one. The Retrenchment Committee of 1922 proposed, that the Cabinet should not be of more than four members, two Ministers and two Members of the Executive Council. I believe—I speak subject to correction—that the Bombay Government are trying the experiment with four Members of the Cabinet at the present moment. I do not think that anybody can say that the Bombay Government's work is less arduous, less difficult, less voluminous than what the Bengal Government has got to do. The Hon'ble Mr. Marr declared yesterday that we are going to have a Retrenchment Committee, and all these questions of retrenchment and economy will be discussed in that Committee. He expected us that in view of that pronouncement, we should withdraw all the motions which have been tabled on the ground of economy. One feels, however, rather pessimistic with regard to what the Retrenchment Committee will do specially in the case of the Cabinet members. However much economy Mr. Marr might have effected in his budget and by cutting down the pay of Government servants, we find that very little attention in the right direction has been paid. I would like to refer to the action of the Government in filling up the temporary vacancies in the Executive Council. Is it claimed, Sir, that in these short vacancies it was absolutely necessary to make such officiating appointments? Could it not be managed by distributing the portfolios of the Member on leave among other Members? Are the Members of the Executive Council so heavily worked that they cannot afford even for a few days to have one Member less on the Executive Council? Under the Government of India Act, section 47, all that

is needed is that the number of Members of the Executive Council should not exceed four. That is the maximum number which is allowed under the Government of India Act, but this maximum has been taken as the standard for this Government. Let us now examine, Sir, very briefly whether it is possible, according to the present distribution of work, to effect any retrenchment in this direction. As we are aware, Sir, the two of the most heavily worked Departments are those of the Members for Political and Finance. I am perfectly willing to admit that, in the political atmosphere that we have at the present time and on account of the various difficulties of the administration, we must concede that the Political Member is a really hard-worked officer, and it will not be possible to give him any additional work. The same perhaps may be said of the Finance Member as well, but I would like to qualify my remarks in regard to the Finance Member by saying that a good deal of the work which he has been doing is self-imposed. It is possible to lighten his work to a great extent if the Secretariat rules are relaxed to some measure. It is unreasonable—I do not say that it is absurd—that files should go back to the Finance Department in the way that they have been going, for every little thing. Whenever any item of expenditure is sanctioned by the administrative department, it must go to the Finance Department for approval. And when the expenditure is incurred every time, the file has to be sent for the scrutiny of the Finance Department. These files going to and fro between the Finance Department and other Departments increase the work of the Finance Department unnecessarily. The Finance Department is groaning under this self-imposed task, and the Ministers are groaning under the tyranny of the Finance Department. Whenever you ask any Government Member for anything, he says that he has got the money and that he is perfectly willing to give the grant if Mr. Marr and Mr. Blandy would agree to the expenditure. As regards the Member in charge of Irrigation and Forests, I certainly think there is not enough work for him, and the same is the case with the other Indian Member, particularly about the former. As regards his file work, I think any officer with some experience and average intelligence would be able to dispose of the work by working 2 days in the week. I would suggest that Forests should be transferred to the Agriculture Department and Irrigation amalgamated with the Public Works Department or the Revenue Department. I would ask the members of the Cabinet themselves whether they really think that an Executive Council of four members with the portfolios as at present arranged, is really necessary. I shall go further and ask the Member in charge of Irrigation and Forests to say whether it is necessary for the administration of these two Departments to have one whole-time Member. I ask him to say whether it is or it is not his honest opinion that the tax-payers of this province are not

getting their money's worth of work from him and if the answer is in the affirmative, I would ask him whether it would not be graceful for him to resign, considering it is not in our power to make him do so.

[At 4-15 p.m. the Council was adjourned for prayer and it reassembled at 4-30 p.m.]

Babu SATYENDRA NATH ROY: I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Re. 1 (to urge upon the Government the necessity of abolition of one post of Executive Councillor in view of the financial stringency).

Sir, we have heard various members speaking about the Retrenchment Committee of 1922, recommending a reduction in the number of Members of the Executive Council. I have also heard it said that Bengal was governed by a Lieutenant-Governor with two or three Secretaries. Sir, there are now seven members of the Cabinet in Bengal and four in Bihar and Orissa which was also a part of Bengal under the administration of Lieutenant-Governors. I would remind the Council about the facts which have occurred since the Retrenchment Committee of 1922. In 1924, when the Ghuznavi-Fazl-ul Huq Ministry went out of office, the portfolios of the transferred departments were given to the Members of the Executive Council. Then later on there was another attempt to form a Ministry but that also failed and for a considerable period the portfolios of the transferred departments were again administered by the Executive Council. From these facts it must be admitted that it is possible to carry on the work of the Government with a Cabinet of four members as in those two instances the work of the Ministers was done by the Members of the Executive Council. That decisively shows that the Executive Councillors have not sufficient work to do. This was never made a complaint of in the Administration Report of this province nor in any Despatch to the Secretary of State. Did this Government complain that the work which the Members of the Executive Council had to do at that time was very heavy, nor did they recommend that the Government of India Act should be amended so as to allow at least another Executive Councillor being appointed in place of the Ministers who could not be retained in office as their salaries had not been voted. In spite of these facts which took place only a few years ago, I do not see why we should not have a reduction in the number of Executive Councillors at least by one. I would like to have only two Executive Councillors and transfer some of the reserved departments to the Ministers, including the Revenue Department. What has the Executive Councillor in charge of the Revenue Department of the Bengal Government to do? Here most of the estates are permanently settled estates, unlike the estates in Madras and the United Provinces, and cases require only formal orders which the Secretary in that

Department can easily do. Speaking personally, I think that Sir P. C. Mitter has held office for a long time both as Minister as well as Member, and I do not know when he is going to retire. The Hon'ble Sir Alhadj—I do not know how to pronounce his name correctly—Abdelkerim Ghuznavi also has held office as Minister as well as Member, and I would suggest that these two should draw lots between them as to who should retire. In that case their Departments may be made over to the Ministers.

With these observations I commend my motion to the acceptance of the House.

Mr. J. N. GUPTA: May I have your permission to move motions Nos. 357 and 375 together? They are on allied subjects. One is about the Members of the Executive Council and the other is about the Ministers.

Mr. PRESIDENT: I do not think you can mix up the two.

Mr. J. N. GUPTA: My motion refers to the Cabinet as a whole, which in view of a previous ruling of yours includes the Ministers also.

Mr. PRESIDENT: I do not remember to have given any such ruling.

Mr. J. N. GUPTA: I bow to your ruling.

I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Re. 1 (to raise a discussion on the necessity of reducing the number of the Members of the Cabinet and the scale of the pay of the Members of the Executive Council).

I will make some general remarks only and short ones too. My first point is——

Mr. B. C. CHATTERJEE: On a point of order. As regards No. 357 Mr. Gupta's reason is to raise a discussion on the necessity of reducing the number of the Members of the Cabinet and the scale of pay of the Members of the Executive Council. Does not the Cabinet include Ministers as well as Members?

Mr. PRESIDENT: Members of the Cabinet mean Members of the Executive Council only.

Mr. J. N. GUPTA: As I was going to say, the first point I would like to touch upon is the announcement made by the Finance Member about the appointment of a Retrenchment Committee and how it

affects this motion. In view of that announcement it may be argued that it may not be necessary to discuss this question on the floor of the House to-day. I think, however, it is very necessary, having regard to the great importance of the question regarding the size of the Cabinet and the emoluments of the officers who hold office in the Cabinet. It is very necessary, I think, that there should be a recorded opinion of the whole House on this important matter. We do not know how long the Retrenchment Committee will take to finish their labours and after they have finished their labours what will be the fate of any recommendations that they might make. From that point of view I urge that even though the same question may have to be examined by the Retrenchment Committee, it is very necessary that we should come to some decision on this matter to-day.

There is another point which I would also like to touch, and that is that although this motion which I am moving now deals with the Members of the Executive Council, I have another motion dealing with the number of Ministers and their pay. I am not going to discuss just now for the reduction either in size or in the pay of Ministers only, but the point of view which I want to bring out is that we ought not to agree to the reduction in the pay of Ministers as long as we cannot make any reduction in the pay of the Members of the Executive Council. I am just explaining that those of us who hold that the Ministers' pay should be reduced also hold, as in this motion, that the pay of the Executive Councillors and their number should also be reduced. It has been said that the late Mr. Tilak and all other nationalists hold that it is very important that we must keep our Ministers on the same footing in every respect with the other Members of the Cabinet, whether European or Indian. We entirely agree with that view, but whereas it is possible for us to reduce the pay of the Ministers it is not possible for us to do so in the case of Members of the Executive Council. In their case all that we can do is to recommend or urge upon Government to recommend that their pay should be reduced.

Having cleared up these two points, I will only take a few moments to deal with the subject of the motion itself. It has already been dealt with from every point of view by the previous speakers. It has been well said that the chief fault of the whole scheme of reforms is its grossly disproportionate overhead charges in the higher offices of Government and that this has practically nullified any good results that might have been reasonably expected from these well-conceived reforms and liberal political measures. It is such a universally accepted proposition that it is not necessary, I think, to dilate upon it at all, except to stress one point. The Indian Government, the leaders of Indian opinion, and the British Parliament are again engaged in forging the next stage of the reformed constitution, and

it is very important that this view, namely, that the chief cause of the failure of the present reforms is due to the disproportionately heavy expenditure on the higher posts under that scheme, should be brought home to them, so that this mistake may not be repeated again. I say this because I do not find that sufficient stress is being laid on this point either by the Indian nationalists or by any of the authorised spokesmen who have expressed any opinion on the subject. Sir, it may be true that democracy is an expensive luxury and that if India wants a democratic system of Government she must pay for it. But is it not equally true that the very kernel of democracy is to cater for the well-being and happiness of the people? If this fundamental *motif* is disregarded and if the real aim of all Governments and much more so of a democratic Government be to serve the best interests of the people, and if this fundamental object is not being achieved, surely it cannot be argued that as India demands democracy she must be saddled with a very expensive scheme of Government which with her depleted finances it is utterly impossible for her to run.

Now as to our desire to see retrenchment begin with the Cabinet, it is only proper that we should begin from the highly paid and expensive officers of Government; it is no use trying to start from the bottom and do away with a lot of low paid officers while leaving untouched the invulnerable posts which are far beyond the means of the country to maintain. It is only appropriate and proper that these highly paid and expensive posts should first be attacked. As I said some time ago it is for the Ministers and Members of Council to set an example; at that time I urged that they should voluntarily accept a reduction in their pay, and I justified my demand for the reduction in the size and pay of the Cabinet on the ground that it is the most expensive part of the Government, with which we must begin first.

As regards the work that the Bengal Cabinet has to do, and whether there is sufficient for all the Members, is a matter on which there is complete unanimity of opinion as has been pointed out by several speakers before me, and by the last Retrenchment Committee of 1922. That Committee after going very exhaustively through the work that has to be done came to the conclusion that there was no justification at all for Bengal to keep as many as seven Members in the Government. They were of opinion that four Members would be sufficient. Another speaker has fortified that point by drawing attention to the fact that in this province during the time that there were no Ministers in the Government, the Members of the Executive Council did the work of the Ministers and all the work was divided between them. That certainly is a very strong argument in favour of the contention that it is possible to get through the work that is being done by the seven with a fewer number of

Members. As regards the question how their work should be distributed, a point which was drawn by my friend Khan Bahadur Abdul Momin, I do not think it is either necessary or desirable that we should go into that matter now, but the important point to remember is that it is possible if you decide to reduce the number of Members of the Executive Council, to do away with some of the reserved subjects, even under the present Act, as my friend Mr. B. C. Chatterjee has often pointed out and transfer them to the Ministers. We therefore all desire that there should be two Members of Council and two Ministers.

Lastly, as regards the pay of these gentlemen, that is a point which might well be left to the decision of the Retrenchment Committee. I think for a suitable scale a pay of Rs. 3,500 may be adopted. In this matter I should only like to mention in conclusion that Bombay seems to have set a very notable example, but we are far too timorous here and say that the constitution cannot be changed so light-heartedly and that the whole system of administration will be in jeopardy if we try to bring about these changes in a hurry. We find that Bombay has actually done what we propose should be done in Bengal. Of course we can only say on the authority of the newspapers, that three Members of the Executive Council have already submitted their resignation in the hands of the Governor, and that the reconstitution of the Cabinet is in process with only four Members.

4-45 p.m.

I very strongly urge that having regard to the facts stated in this House to-day it is urgently necessary for Bengal to make up its mind at once and we must show that Bengal does not want to stand aside and remain in the background in this vital matter of retrenchment—that she is going to take her rightful place amongst the progressive provinces of India. Bengal should try to face the difficulties staring her in the face immediately and without a minute's delay. It is not for me to suggest ways and means as to how the Cabinet is to be reduced. It might be by either asking for the resignation of some of the Members, or, if the time of some of the Members is up, by not filling up their posts by new Members, but by distributing their portfolios amongst other Members. But we think it is high time that Bengal should at once take up this matter and give a practical proof of her determination to tackle the serious financial problems with which she is faced.

Mr. NARENDRA KUMAR BASU: I support the motion. After the speeches that we have heard this afternoon it is not necessary for me to make any remarks at length. As regards the desirability or possibility of reducing the number of Executive Councillors, there can

be no question. I am quite sure that the Executive Councillors themselves will be free to admit that there is not enough work for four Members of the Executive Council. As regards pay, Sir, we have always been told that the pay of the Executive Councillors has been fixed under the Government of India Act and therefore it cannot be reduced. I submit that this is not a correct reading of the Act. Section 85 of the Government of India Act says:—

"There shall be paid to the Governor-General of India, and to the other persons mentioned in the Second Schedule to this Act, out of the revenues of India, such salaries, not exceeding in any case the maximum specified in that behalf in that schedule....."

The Hon'ble Mr. W. D. R. PRENTICE: Will Mr. Basu go on reading the whole section?

Mr. NARENDRA KUMAR BASU: Yes—"and such allowances (if any) for equipment and voyage as the Secretary of State in Council may by order fix in that behalf, and, subject to or in default of any such order, as are payable at the commencement of this Act."

Therefore the discretion to fix the salary is in the hands of the Secretary of State; but it seems the discretion of the Secretary of State has been used to fix the salary at the maximum amount permissible. My submission is that there is nothing to prevent this Council representing to the Secretary of State that the province is unable to bear the maximum salary at the moment and therefore it should be open to the Secretary of State, if he is so convinced, to fix the salary at a figure lower than the existing figure.

MUNINDRA DEB RAI MAHASAI: Mr. President, Sir, I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 500 (to draw attention to the necessity of reducing the number of Members of the Executive Council from four to two).

At the outset I should like to raise the constitutional issue that an irresponsible and irremovable executive was not compatible with an elected and popular legislature. It was the precursor of tension and friction. Sir, this system has been tried, I think, for about 14 years, but it has miserably failed. The unholy combination of popular Ministers with them has created a situation unprecedented in any other part of the globe. This dyarchical system has made the position of Ministers more untenable and precarious. It precipitated the downfall of the Ministry on several occasions since its inception. Even the maker of modern Bengal—the greatest Minister we ever had—I mean

Sir Surendra Nath Banerjea of revered memory—had to suffer humiliation at the hands of his own countrymen for his association with the irresponsible executives——

Mr. PRESIDENT: That has nothing to do with the motion now before the House.

MUNINDRA DEB RAI MAHASAI: Sir, we sincerely feel our helplessness in this Council. We cannot exercise the least influence on the actions of these honourable servants of the public. It did not matter much whether we withheld supplies or voted for it or passed laws or refused it. The real power rested with them. The limitations under which this House has got to work are too well known to need recounting——

Mr. PRESIDENT: Order, order. What are you driving at? You must speak on the motion which is now before the House. The object of your speech should be to determine as to what should be the number of Executive Councillors.

MUNINDRA DEB RAI MAHASAI: Yes, Sir, I am coming to that. Sir, as it may not be possible for us to do away with the Executive Councillors, at any rate at the present moment, as it requires the sanction of the authorities beyond the seas to whom, I hope, our views will be communicated, I should like to suggest the scratching of superfluity and of limiting the number. Sir, during the general discussion on the Budget the other day, I tried to emphasise the urgency of reducing the number of Executive Councillors from four to two. The real work of administration is being done by the present indefatigable Home Member, and I am sure he is capable of administering all the portfolios attached to the honourable gentlemen on his right and on his left. I can say with all the emphasis that I can command that he is the only member who is acquainted with the minutest details of the administrative machinery in all its departments, and I believe him to be the strongest man in the service—a rare quality for a ruler. He seldom becomes unnerved and all the vituperations which we are accustomed to fling at him do not affect him in the least. He remains unperturbed. Although I criticise him in the strongest language possible, yet I cannot but admire and appreciate his high qualities of head and heart. However, although undoubtedly capable, I do not wish that he should be overworked, if he elects to stay on, and another gentleman may be given some portfolios to lighten his work. Two Executive Councillors would, I think, be enough for Bengal. I hope the example set by Bombay should be followed by the Cabinet of Bengal.

Sir, it has become a very vicious practice for the last few years to corrupt the highest judiciary in the land by the lure of appointment to officiate as Executive Councillors after their retirement. This pernicious practice——

Mr. PRESIDENT: That has nothing to do with the motion under discussion.

(Here the member resumed his seat.)

Dr. NARESH CHANDRA SEN GUPTA: Sir, I remember the time when Bengal led India in thought, at any rate in political ideas. I wonder if it has come to this now that Bengal is not even prepared to follow at a distance the example set by Bombay. If it should have come to that, then every Bengali—I do not speak of the natives of Bengal alone, but everybody who is in Bengal—has good reason to hang down his head in shame. When an emergency arose such as the one we have been facing, not this year alone but also in the previous year, Bombay promptly responded by carrying out retrenchment at the very top and we are only asking by these motions that the heads of the Government in Bengal should follow in her footsteps. Well, Sir, I may perhaps say that to reduce the number of the Executive Councillors to two would be an act of kindness to them. These gentlemen—the Members of the Executive Council—are living at the present moment under a threat of extinction at no distant date, and if their number is reduced to two now, it would be much easier for them to go out of existence when the time comes. I need not labour the point which has been made by previous speakers that the Government of Bengal can be efficiently carried on by four persons—two Members of the Executive Council, if you like, and two Ministers. It has been carried on—and that, I think, is conclusive on the question—for a long period by four persons only, and we never heard of complaints of overwork or of overburdening of the work of the Executive Councillors. We want to revert to that number as a permanent feature, not that there should be four Executive Councillors but that there should be not more than four Members of the Cabinet—two Executive Councillors, if you like, and two Ministers. Well, I am sure Bengal would not have had more than four Members of the Cabinet but for the unfortunate necessity which was felt, as I have stated, to provide for checks and balances of community against community and interest against interest. That accounts for four Members of the Executive Council. Well, we have to have at least one Hindu and one Muhammadan in the Executive Council and to counterbalance them there must be two members of the Indian Civil Service—Europeans—on it. That, I believe, was at the back of the mind of those who fixed the number at four, which is not recognised to be a magic number though the number seven is. I say it

is time that faced with a financial crisis the like of which we have never felt before, we should be able to rise above pettiness which necessitates checks and balances, and that we should make common cause against this extravagance and be rational. Let us have the minimum number of officers necessary to carry on the work of administration, irrespective of the question whether this community or that community is represented on the Cabinet or not. It is absolutely immaterial to me at any rate whether my community, or any community for the matter of that, is represented on the Executive Council, which is an irresponsible body. It does not give me any sense of pride or satisfaction to feel that a member of my community is earning a fat salary. I shall be quite content if there is no member of my community on the Executive Council and if it is solely constituted by Mr. Prentice and Mr. Marr. I do not care whether any of my countrymen is on the Executive Council or not—we can bear the situation for a couple of years or so that the Executive Council is going to remain. So also in regard to the question of Hindus and Muhammadans I am absolutely indifferent so long as we get Ministers or Councillors who are able to do their work properly. Let the ablest men be appointed to these posts and let us trust ourselves to keep them straight. Let us approach this question from this point of view. Let every member interested in the welfare of the country concentrate on this point that we must have the work of administration done at the minimum cost and with the utmost efficiency, and I have no hesitation in saying that every one will agree that there should be not more than two Executive Councillors and two Ministers.

5 p.m.

Babu KISHORI MOHAN CHAUDHURI: Sir, I wholeheartedly support the motion. This is not the first time that the question has been raised on the floor of this House. It was in the year 1921, I believe, that this question was discussed several times. At that time also there was a heavy deficit staring us in the face and we came to the conclusion that two Executive Councillors were quite sufficient. This was carried by an overwhelming majority. I may inform you that I had private information that this was also under the contemplation of the Secretary of State. Fortunately, however, on account of a heavy contribution of Rs. 1 crore and 55 lakhs being remitted at the time it was not so very difficult to manage. Mr. Montagu also went out of office at the time and so nothing was done in that matter. It was subsequently considered by the Retrenchment Committee and they also were of opinion that two members would be quite sufficient.

It is not merely a question of economy, but it is quite clear that we are unable to meet the heavy deficit. This year we shall be indebted to the Government of India to the extent of two crores and several

lakhs and next year there will be a deficit of a crore and sixty-four or sixty-five lakhs. We are not consulted in these matters. The Government of India will advance the money and charge the Bengal finances to the extent of Rs. 25 lakhs a year for fifty years. That shows that it is not a question of expediency but a question of urgent necessity, as we must exist first. It is impossible to let things go on in the way in which they have been allowed to go on so long. The Hon'ble Mr. Marr candidly admits that it is a very deplorable state of things and he did not hold out any hope in the near future of an improvement. If that is so, with what conscience we can support a budget which provides quite unnecessarily for the pay of four Executive Councillors and the necessary establishment for them.

At the very beginning of the reformed Council we came to the conclusion that it was quite unnecessary to have four members of the Executive Council and it was simply because of the increased stamp duties and the assessment tax, in the year 1923, that things could be managed anyhow. Now, however, the condition is very deplorable, and it is extremely necessary that we should come to a final decision in the matter. Even if we cannot carry the motion or if we carry it and Government treats it as a dead letter, it is the duty of this House not to be a party in this insane extravagance. If you have no money, why do you indulge in providing for unnecessary expenditure? In that case it is your duty to keep room and minimise the expenditure to the utmost. "Cut your coat according to your cloth" is a common saying that we all know. Although the Hon'ble Mr. Prentice objects to any reduction in this grant, I think it is absolutely necessary and incumbent upon us to do so. It is clear that the law provides for the maximum number and it is very unfortunate that we have made provision for the maximum in every case. If the Government of India, instead of lending money to the Government of Bengal, in spite of the wishes of the representatives of the people to the country, make a contribution, we have nothing to say. If the Government of India pay, let it be spent in any way it likes and we do not object to it. But instead of making a contribution they lend you money, and it cannot be justified in any way as it is not covered by the local Government's power of contracting a loan; it is not covered by the provision of these rules. It is, therefore, very regrettable that in spite of that the Government of Bengal are bent upon contracting loans year after year without considering whether they will be in a position to repay them. Before the Reforms I made a study of the accounts of ten years and I saw that the Government of India had to make a contribution every year for carrying on the Government of Bengal. I think the Meston award is gone, because the contribution question is gone, it being remitted and it is no use saying that the Federal Finance Committee will come to your relief. We must meet the situation with what we have got at

our disposal and in this view I must say that there should be a reduction in the number of Executive Councillors.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I am afraid that this is an occasion on which I have to differ from my friend, Maulvi Syed Jalaluddin Hashemy. I think we are carrying on a very unreal discussion. It is not in the hands of the local Government to reduce the number of the Members of the Executive Council of His Excellency the Governor. Then in deciding the number of Members of the Executive Council or of the Ministers, we have to consider briefly the system under which the administration is being carried on. I can believe that the Government of Bengal can be carried on with efficiency by a single person as in the old days, but when we have given up that ideal, when we have begun to associate with the head of the province others to advise him in the work of administration, I think there should be a sufficient number of advisers at the disposal of the Governor to carry on the work. When we decide that the ruler of a province is to come from a distant land with no experience of the conditions prevailing here, it is more than necessary that he should have an adequate number of men who have an intimate knowledge of the province. Sir, I think the policy in appointing Members of the Government should be that the Government of Bengal should consist of persons who have a personal knowledge of the different parts of the province, either by experience, residence, or by being there in connection with administrative work. Sir, even as it is I feel that the Government of Bengal has got out of personal touch with the people of this country. It was quite the other day that I suggested that the Members of the Executive Council should make it a point to tour in the different parts of the province.

5-15 p.m.

Sir, when the government of the province has to be carried on in co-operation with the people of the province, it should be our duty to see that the different interests in the province are properly represented on the government, and I think, Sir, one of the causes of the success of His Excellency's experiment in carrying on the administration of the dyarchical system of government has been that he, at least, has acted with discretion in his selection. If I give expression to this view, I do not want to be misunderstood. I told members of this Council some months ago, and even on another occasion about the number that we want. We want the administration to be carried on by responsible Ministers; we do not want a single Executive Councillor in the Government of Bengal. But so long as the government is to be carried on under the present system, I think it would be wrong to reduce the number of Executive Councillors, unless the Government proves it under the law, to be a necessity.

Mr. H. S. SUHRAWARDY: I regret I cannot support this motion. Long have we borne the asses' load and our backs have not broken. Soon we are about to heap on other loads, namely, the cost of an enlarged legislature, and we have no intention of reducing the number of portfolios; hence, we have no legs to stand upon. If we are bankrupt now, we shall be bankrupt if there is a reduction in the number of honourables; moreover, when all of us want to be Ministers, we ought to have a sufficient number of seats to go round. Again, the number does not necessarily imply that there is work for all of them. Of course, if all of them who adorn the front Treasury benches—I believe that is the Parliamentary title—knew their work, there would be work for all. There is the Agricultural Department, the Co-operative Department, the Irrigation Department, the Forest Department, the Industries, the Tenancy system—all these want overhauling—but nothing is done. But we want wise men of the East to mingle with those of the West, and we want them in large numbers, and hence I support the number as at present. On the other hand, there is a good case for increasing the number of Ministers, with a more reasonable pay, so that there may be as many wise men in the Cabinet as we can put in. It is a tradition of the West that there are always a large number of men without portfolios, who do nothing except draw money, and supply the grey matter within the Cabinet, and we are strictly following the Western tradition by providing grey matter without the work. Moreover, members are not necessarily confined to their portfolios. There is plenty of work which they can do outside the portfolios which have been allotted to them, and we know of several members who have made themselves very useful in the troublous times through which the Government is at present passing.

Maulvi ABUL KASEM: Earlier in the day, I said that a band was necessary for the Governor of Bengal, and towards the close of the day I regret to observe that I do not thereby mean that a big Cabinet is also necessary for His Excellency the Governor. The second question is whether this Cabinet is necessary for the administration of Bengal or not. From what we have heard in this Council and outside, we find that these Members of the Cabinet, at least some of them, are not definitely regarded either for utility or for ornament. We have been referred, too, by several speakers, to the action taken by Bombay in reducing the number of their Cabinet. I would refer to the big province—the United Provinces of Agra and Oudh. That is a much bigger province than Bengal, and its work is of a more difficult and arduous character than that of Bengal, because the revenue system in the United Provinces is not so simple as that of Bengal, and their irrigation problem is more complicated and expensive, and it cannot be said that in the present day the political problems are of less value than they are in Bengal. But there the work of the United Provinces Government is being carried on

equally efficiently, if not more efficiently, and they have got only two Executive Members and two Ministers.

Dr. Naresh Chandra Sen Gupta has said that the number of Executive Councillors ought to be increased on account of communal difficulties. There he is mistaken. After the Government of India Act was passed, the Secretary of State laid down that there should be four Members of the Executive Council in all of the Presidency provinces, Bombay, Madras and Bengal, and the question of having one member from each community was later on decided by the Government itself. But that is a different matter. He also said that prior to this, we had only four Members of the Cabinet; but there he is wrong. We had before the introduction of the Reforms only three Members to carry on the administration.

Dr. NARESH CHANDRA SEN GUPTA: I did not say that. I referred to the condition of affairs when the Ministers were appointed.

Maulvi ABUL KASEM: I beg your pardon; I thought you said that. My reading of the situation is that we are paying the penalty of being burdened with this extraordinarily heavy cost for the privilege of coming here and talking. That is the only advantage that we have got by the introduction of these Reforms and by the privilege of having some sort of responsible government in this province. Before the present Legislative Councils were formed, the Government was carried on with great efficiency, because then the Members of the Government came into much closer contact not with the members of this Council but with the people of the province, than they do at the present time. Now Writers' Buildings only think of their files and how to dispose of them. The Members of the Government never come into contact with the people to see how they can improve their condition. It has been said that we should let matters stand as they are—better days are coming, we shall have provincial autonomy, and then we can shape our requirements according to our needs. I am a little apprehensive on that point. When the first Reforms were introduced, we were burdened with three Executive Councillors and when further responsibility was given, we were burdened with four Members, and I am afraid when provincial autonomy is granted, we might be burdened with half-a-dozen or more Councillors.

The question is simply this: Whether we ought to have a top-heavy administration. The other day, the Finance Member announced that the Executive Members were pleased to forego 10 *per cent.* of their salaries, and we cheered them, but I should like to have an opportunity of cheering them again, when we hear that they have responded to the popular call and reduced the number of individuals in the Cabinet.

Mr. Shanti Shekhareswar Ray said that is not within the competence of the local Government to reduce the number of the Executive Councillors. I submit that it is our duty here to express

our opinion definitely on the point whether we in our responsible position as leaders accept this reduction or not.

Babu KHETTER MOHAN RAY: In rising to speak on the motion, I should like to point out that, before the Council Government was introduced in the Bengal Presidency the business of the local Government was carried on by one Lieutenant-Governor with the aid of his Secretaries and departmental heads. After it was introduced we had four Executive Councillors, besides the usual number of Secretaries and heads of the Departments to assist them. Subsequently, after the inauguration of the Montagu-Chelmsford Reforms, which are still working, we have four Executive Councillors and three Ministers under the Governor, carrying on the administration of the country with the assistance of Secretaries and heads of various Departments. It should be remembered that at the time of introduction of the Council Government, the extent of the Bengal Presidency was much reduced by formation of a new province of Bihar and Orissa. So we find that the work of the Government was necessarily much reduced, but the number of the members of the governing body was increased in inverse ratio. It has been pressed on the Government several times that the general administration of the country is top-heavy, which our country, poor as it is, can scarcely afford to maintain. Making allowances for increase of work, owing to the introduction of the Reforms and other altered conditions of the country, can it be said that there is sufficient work for four Executive Councillors and three Ministers? Truth is that the work now done by seven officials can conveniently be performed by four Members without any diminution of efficiency. But still the Government will persist in having four Executive Councillors to the detriment of the interests of the country. The country is bled white by the groaning burden of taxation; half the population can scarcely find two meals in a day. But the Government will indulge in the luxury of four Councillors and three Ministers, entailing a heavy expenditure on the administration of the country. This is one of the typical instances of extravagance which is unfortunately permeating all Departments of the Government. Administration has been carried on some years at a deficit. We cannot indulge in the luxury of having the top-heavy administration any longer. It is high time that the Government should move to cut down the superfluities and practise rigid economies by following the Bombay example referred to by previous speakers.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: I have patiently heard the speeches delivered here by different persons, and I heard the very serious speeches of my friend Dr. Naresh Chandra Sen Gupta and one or two others. I say they very seriously believe that the number of the Executive Councillors should be reduced to two. I cannot join hands with them. I have a little experience of the Government of the

country, and from what I know of the inner working of the Government, I can tell the House that if instead of four, the number was increased to eight, everybody will do the work entrusted to him in right earnest.

5-30 p.m.

The country, specially this province, is so undeveloped, there are so many difficult problems concerning public health, irrigation and agriculture to solve, that there is sufficient work in the Departments of the Government to engage the whole-time attention of its members. As regards the question of funds, it has been said: "What is the use of retaining a large number of officers when there is no money and when there is no work for them for want of funds?" Sir, I say it is not money which is the only thing required, but what is required is the real earnestness and real desire on the part of the Members of the Executive Council or the Ministers to do their best for the uplift of the province. It is really the heart that works, and if my friends who are now administering the Departments have got hearts to do their best, there is enough work in all the Departments for all the Members of the Executive Council and the Ministers. Sir, much has been said about the Hon'ble Sir A. K. Ghuznavi. He is in charge of very important Departments and the Department of Irrigation has a great scope before it. If he would care to make a comprehensive programme of irrigation works for Bengal, if he would study the deplorable condition of Bengal irrigation, the problem of resuscitating the dying and dead rivers, and if he can convince the Government as a whole that there is really such a scheme ready which requires the consideration and sympathy of the other members of the Government, then I do not believe the Government will hesitate to provide him with adequate funds even by borrowing, if necessary. As regards the other members, they have not been attacked so much as the Irrigation Member, but they have been attacked from another point of view and that is that there should be retrenchment on account of the present economic difficulty of the Government. I cannot understand why this Council should care at all about the economic difficulty of the Government so long as the Government is able to carry on their activities with funds at their disposal. There is the Government of India who are always ready to help local Governments by advancing money when the latter are in financial difficulties. I cannot, therefore, understand why the Government of Bengal should care at all for economy when there is the Government of India to come to their rescue——

Mr. H. S. SUHRAWARDY: May I inquire, Sir, as to whether the member is serious or sarcastic.

Mr. PRESIDENT: What is your point, Nawab Saheb? Do you want the Government of Bengal to borrow more money and appoint more Executive Councillors? (Laughter.)

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I want to say that the question of economy does not arise at all when the Government of India is ready to finance any amount of money that is required for the Government of Bengal. It is for that reason that there is no necessity for the cut motion and it is quite untenable.

On these grounds, Sir, I beg to oppose the motion.

The Hon'ble Mr. W. D. R. PRENTICE: I do not wish to take up much of the time of the Council in regard to this question. I am afraid I can only make a very short speech in answer to all the eloquence that has been directed to this subject. Because, after all, the money I am asking for is required for peons, contingencies and things like that and not for the Members of the Executive Council personally. Under the constitution, the number of Members of the Executive Council and its pay are not matters which can be discussed in this House. In 1923, Sir Hugh Stephenson dealt with a similar motion. He started by saying "the Council will hardly expect me to discuss on this motion the question of the number of Members of Council. It is a matter which is not within the competence of this Government and it is impossible for this Government to make any statement whatsoever on the subject. As he has raised no other question, I will not go into the details of this particular item beyond saying that it is considerably less than the actuals of last year." On this occasion also as the hon'ble member did not raise any particular point in dealing with this demand, I shall only say that it is considerably less than the actuals of last year.

Mr. J. N. GUPTA: What is the authority with regard to the first point?

The Hon'ble Mr. W. D. R. PRENTICE: If you look at section 47 (*1*) of the Government of India Act, you will find that the Members of a Governor's Executive Council shall be appointed by His Majesty by Warrant under the Royal Sign Manual, and shall be of such number, not exceeding four, as the Secretary of State in Council directs. So it will be seen that it is not the Government of Bengal nor the Government of India but the Secretary of State who is concerned with this. Mr. N. K. Basu has read the section about their pay, and that is also not the concern of the Government of Bengal. I think it was Khan Bahadur Abdul Momin who dealt with the question of filling up of officiating vacancies in the Executive Council. I am only surprised that a gentleman who has spent all his time in Government service should not have taken some trouble to look up the law on the subject.

If you look at the law, you will find that section 92 of the Government of India Act lays down that if a vacancy occurs in the office of a Member of the Executive Council of a Governor, the Governor in Council shall supply the vacancy by appointing a temporary Member of the Council. The word is "shall".

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, may I make one suggestion? May it not go as a recommendation of this Council to the Secretary of State?

Mr. PRESIDENT: He has not disputed that.

The Hon'ble Mr. W. D. R. PRENTICE: I suggest that a cut in the pay of the peons is not the proper subject on which to bring up this question. There are other methods by which this Council may express their opinion and have it forwarded to the Secretary of State. I am not asking in my motion anything for the Members of the Executive Council. I am at present asking for money for certain specific purposes which do not concern the Executive Council at all.

Mr. B. C. CHATTERJEE: On a point of order, Sir, you have allowed us to discuss this on this particular motion. Therefore, I think Mr. Prentice is out of order.

Mr. PRESIDENT: If I heard him aright the Hon'ble Mr. Prentice said that the Government of Bengal is not competent to fix the number or determine the salary of Members of the Executive Council. Did he dispute the right of this Council to express their opinion regarding it by a motion for a token cut under the head "Executive Council"?

The Hon'ble Mr. W. D. R. PRENTICE: What I said was that the amount of money I am asking for has nothing to do with the number of Executive Councillors and their pay. The Council was only required to vote a certain sum for contingencies and peons.

5-45 p.m.

Mr. PRESIDENT: But perhaps you never intended to question the right of this House to raise such a question by a motion for a token cut under the head "Executive Council."

The Hon'ble Mr. W. D. R. PRENTICE: I did not rise to dispute any point. I have explained that what I am asking for is money for the item which is the subject of this demand.

Mr. PRESIDENT: I am not asking your opinion on the question of relevancy. I am asking you whether you dispute the point that

this House is competent to raise this question and to discuss their case with regard to the number and pay of the Executive Councillors on the floor of this House by a motion for a token cut under the head "Executive Council." That is a point which you are not disputing, I think.

The Hon'ble Mr. W. D. R. PRENTICE: I will answer that question if you ask me, but I consider that decision lies in your hands and not in mine.

Mr. H. S. SUHRAWARDY: That opinion cannot be legitimately expressed in this House. What he is asking for at present is money for peons.

Mr. PRESIDENT: Order, order. I want to know what the Hon'ble Mr. Prentice actually said.

Babu JITENDRALAL BANNERJEE: Mr. Prentice distinctly said that this is not the proper occasion to raise this question; and that there were other methods of disputing the whole grant for the Executive Council.

Mr. PRESIDENT: If that was really his contention then I must say from my place as President of this Council that on the whole, the debate was sound and the motion as admitted by me was sound, being based broad and deep on the privilege of the House of which I am the custodian. (Hear, hear, and cheers.)

The Hon'ble Mr. W. D. R. PRENTICE: I was particularly careful to say that I was not questioning your ruling. All that I was asking the Council to do was to give me money for peons and things like that and that demand has nothing to do with the number of members of the Executive Council and their pay which are not within the competence of the Bengal Government to deal with.

Rai SATISH CHANDRA MUKHERJI Bahadur: If the motion is carried, what would be the effect of the Re. 1 cut on the demand of the Hon'ble Member?

The Hon'ble Mr. W. D. R. PRENTICE: The effect will be that we will not be able to reappropriate any amount within the "General Administration" grant without coming to this Council, so that you

will cripple the administration of all subjects dealt with under head 22—General Administration."

The motions of Maulvi Syed Jalaluddin Hashemy and Babu Satish Chandra Ray Chowdhury were then put and lost.

6 p.m.

The motion of Khan Bahadur Muhammad Abdul Momin was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Banerji, Rai Bahadur Keshab Chandra.
Bannerjee, Babu Jitendralal.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chatterjee, Mr. B. C.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Dutt, Rai Bahadur Dr. Haridhan.
Eusufji, Maulvi Nur Rahman Khan.
Ghose, Dr. Amulya Ratan.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Mittra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mukherji, Rai Bahadur Satish Chandra.
Nag, Babu Suk Lal.
Poddar, Mr. Ananda Mohan.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F.
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mohan.
Ray Chawdhury, Babu Satish Chandra.
Raut, Babu Hoseni.
Roy, Babu Haribansa.
Roy, Babu Jitendra Nath.
Roy, Babu Satyendra Nath.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Barma, Rai Sahib Panchanan.
Bartley, Mr. C.
Basir Uddin, Khan Sahib Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Burai, Babu Gokul Chand.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Choudhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Rai Bahadur Kamini Kumar.
Das, Rai Bahadur Satyendra Kumar.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Farrester, Mr. J. Campbell.
Gangali, Rai Bahadur Susil Kumar.
Ghose, the Hon'ble Sir B. B.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Babu Profulla Kumar.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hosain, Nawab Mucharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-uz-Zaman.
Lesson, Mr. G. W.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mullick, Mr. Mukunda Behary.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.

Ordish, Mr. J. E.
Philpot, Mr. H. G. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.
Ross, Mr. J.
Roy, Mr. Saileswar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Roy Choudhuri, Babu Rom Chandra.
Saadullah, Shaulvi Mohammad.
Sahana, Babu Satya Kinkar.
Sarker, Rai Sahib Rohati Mohan.
Sen, Mr. B. R.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.
Wordsworth, Mr. W. C.
Worthington, Mr. R. H.

The Ayes being 41 and the Noes 61, the motion was lost.

The motion of Babu Satyendra Nath Roy was not put as it was covered by the foregoing decision of the Council.

The motion of Mr. J. N. Gupta was put and lost.

The motion of Munindra Deb Rai Mahasai was then put and lost.

Mr. A. F. RAHMAN: It is unfortunate that this motion comes under the head "Executive Council." But I am fortified by your ruling that it would not be irrelevant. I therefore move that the demand for Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 101 (to raise a discussion on the desirability of steps being taken for the immediate introduction of full responsible government in the province). I do not move it on the ground either of economy or inefficiency or of the largeness of the size of the Council though most of us have a wholesome dislike of Government unless we are included in it! I am asking this Council to assert the principle of self-determination. Sir, Bengal's destiny is being decided elsewhere without any reference to Bengal, and it seems to me that self-determination has come to mean my "self" and your "determination."

I do not suppose during recent history any political proposition has evoked such unanimity of opinion as the grant of full responsible government to the provinces of India and this motion merely asks that the declaration of everybody should now be translated into action. It has been said both by the Viceroy and the Governor of our province that every effort will be made—whatever be the political horizon of India—to push on with the work of constitution-making, and what is the present position? After two very costly sittings of the Round Table Conference, the Prime Minister has outlined the future constitution for India. There are three salient features—All-India Federation; Central Responsibility with Safeguards; and Provincial Autonomy. But since that declaration we have not proceeded very far. All the labours in England have ended in a consultative Committee who are drafting fundamental rights and discovering new differences; committees and more committees are touring India and the ideal—the ideal of Federation—has receded into the dim distance, and the whole of India is waiting until the Princes make up their minds. Those that are watching events intelligently must admit that in all this mess of Federation and Confederation, the two most important things that

directly concern us, *viz.*, Central Responsibility and Provincial Autonomy, are being conveniently forgotten. I submit, Sir, that the case for the immediate grant of Provincial Autonomy is stronger to-day than it was a year ago and the obvious advantages are infinitely greater than the attainment of a very remote ideal. After two years of Round Tables and Federal Structures we seem to have attained a remarkable unity on differences rather than on agreements. We do not agree about Federation; we do not agree about the safeguards; but the one thing on which we are all agreed, *viz.*, full responsible government to the provinces, that somehow, is being relegated to the background. I know, it will be said that His Majesty's Government were prepared to inaugurate this at once, but at the express request of leaders of Indian opinion, it was postponed. Such polite consideration for a request from this side of the sea is rather unusual. Nor do I understand the attitude of those who cling lingeringly to the British to give them a free federated and contented India and then quietly efface themselves. Nobody builds from the top downwards. You cannot erect a pyramid until the foundations are secure; autonomous provinces are the foundations on which the federal structure will be raised, and I submit that steps should be taken immediately in that direction. It will be urged, as an excuse for delay, that the Committees that are touring India are doing that work and their reports are awaited. I suppose when these are published, they will be circulated for eliciting public opinion. In any case, whatever be the decisions of these Committees, they can be incorporated in rules. Is it necessary to hold up all legislation until these minor matters have been settled? I admit there is force in the argument that until the relations with the Centre are adjusted, autonomy in the provinces would be meaningless. No constitution should be so rigid as not to admit of improvements; and is it so very difficult for those in authority to part with power at the Centre? Given good-will and the will to find a way, these are not insuperable difficulties.

Then there is one very serious consideration. It is needless to reiterate here the present position of this province, the political discontent, the economic distress and the existence of a movement that is a menace to organised society. During the last February meeting of this House, it was freely admitted that all is not well with Bengal and various remedies were suggested. While we as a body have generally agreed to arm an irresponsible executive with special and emergency powers, we have never deceived ourselves that this is the remedy. The danger to a Government in these days is essentially moral and that can only be combated by broadbasing it in such a way that it reflects the will of the people. No Government could be run on emergency powers, nor could it be called efficient if the emergency existed for a number of years. If the Government were fully responsible, all these exigencies would become unnecessary and disappear and a contented

province would release your energies to be directed towards other objects. Somewhere it has been said that the efforts of the present Government are directed towards the restoration of a calm atmosphere, so that the intricate details of a constitution can be hammered out. This passion for calm atmosphere reminds one of the attitude of the pacifist who was so much for peace that if anybody disturbed it, he was prepared to fight him.

It is useless to labour all these arguments. There is no difference of opinion about them, nor is there any question about our fitness to wield power. We may make mistakes, but mistakes are the experience of life. Everybody knows that this question of autonomy to the provinces is held up because somewhere in the minds of some politicians there is a suspicion that its inauguration will jeopardise the Federation of all India, and the problem of Central Responsibility. Some leaders have suggested an alternative—the transfer of some more Departments to popular control, and then wait for Federation and Central Responsibility to come. This perpetuation of dyarchy—this temporising and surrender of principles to a fancied danger—is it justifiable? It is just as well to recognise frankly that at present it seems impossible to reach the moon—but for that reason must we be in the clouds? Nor is it fair to suspend constitution-making to suit the convenience of princes or the ambitions of dreamy politicians. Besides, a Federation of British Indian provinces would ultimately compel all those who are hesitating to enter the Federation, as it would be impossible for them to remain out of it—and do you suggest that Central Responsibility could be long delayed? It would be wisdom to make a thing inevitable rather than wait indefinitely for the dream to materialise. If now full responsibility is not introduced in the provinces and we are asked to work the present system for another term, the feeling of resentment would be deep and acute and the *bonâ fides* of Government would be in question. I have no idea what attitude Government is going to adopt. I suppose following their usual practice they will be opposed to this motion. But opposed to what? To Provincial Autonomy? That is inevitable. If they say they are opposed to its immediate introduction, I submit they must consider seriously the repercussions of such a statement. Again, they might say that they abide by the policy laid down by His Majesty's Government. Sir, there is a tendency these days for Government to concentrate on its coercive aspect to think that its main duty is the maintenance of law and order. Might we not ask them just for once to ascertain and interpret the real mind of the people whom they govern and advise His Majesty's Government that in the light of recent happenings in India and in this province, they also recommend the immediate introduction of full responsible government? That would be statesmanship and graceful and His Majesty's Government with the facility that they have shown for complying with requests will also comply with this.

There are again some among us who hesitate to support immediate Provincial Autonomy on the ground of this difficulty or that difficulty. I am confident that each one of them, without exception, have strongly and persistently advocated full Provincial Autonomy and should it be said of them that now that the goal is within sight, they lack courage? If that is so, their case for Indian constitutional reform falls to the ground. They advise caution. They advise delay. But why? Either they have too much faith in time, to heal all differences or in the British, who, they hope, will clean the slate for them, so that they can write on it.

If you would permit a little lapse into poetry, may I say to those who dream of a completed edifice and would not build it bit by bit, and also to those who think that the time is not yet ripe, that for yet awhile power should remain with them, that—

If you dream, do not make dreams your master,

If you think, do not make thoughts your aim,

But treat both these impostors just the same.

[At 6-20 p.m. the Council was adjourned for prayer and it re-assembled at 6-30 p.m.]

Babu JITENDRALAL BANNERJEE: Sir, I beg to move that the demand of Rs. 13,000 under the head "22D.—Executive Council" be reduced by Rs. 101 (to raise the constitutional issue about the necessity for the immediate grant of full responsible government to the province).

Sir, it has always been a great pleasure to me to listen to my friend, Mr. A. F. Rahman. The coolness, the balance, the poise of mind which he habitually displays—his unimpassioned statement and the reasoned judgment—these are qualities which fill me with wonder, admiration and envy. I wish that I could cultivate these qualities myself, and to me it has been a matter of life-long regret that I have not been able to do so. And to-day, what heightens my admiration for him still more is the attitude he has taken up towards a vital and cardinal question of politics. I hail it as an omen of happy augury that on a measure of first-class political importance, he—a Muhammadan—and I—a Hindu—should both sail in the same boat and we both absolutely agree in every essential detail. Sir, this shows that the differences between Hindus and Muhammadans, of which our enemies make so much, are superficial and will be dispelled whenever any actual question of politics comes up before the country. And I am fortified in this belief all the more by my knowledge that it is not Mr. Rahman alone but every member of the Muhammadan group who will support me in asking for the immediate grant of full provincial responsibility.

Sir, it may be asked, "what is the hurry about it all?" In order to deal with this question, I shall have to go a little, a very little, way back. So far as the Round Table Conference is concerned, it has come in for many hard knocks and much criticism—some of it harsh and ill-natured, but sane, well-grounded in reason. It has been said that the Conference has conferred much and decided nothing: and to a certain extent we are bound to admit the charge. But, Sir, so far as one point is concerned, the Conference has certainly come to some very definite conclusions; and these conclusions were reached even after the first sitting of the Round Table Conference. They are, first, that henceforth the Government of India should be responsible, no longer primarily to Parliament but primarily to the Legislatures of this country; secondly, that responsibility should be complete in the provinces; and, thirdly, that there should be responsibility coupled with safeguards in the Centre, to be followed ultimately by a Federation of all-India. These were some of the definite conclusions at which the Round Table Conference arrived, and they formed the corner-stone of the memorable statement which the Prime Minister made in January, 1931. And my contention to-day will be that we want the first instalment of these reforms *now, at once*. We want the immediate grant of full responsible Government in the provinces. Responsibility at the Centre may wait and it is likely to wait for some time; while so far as the question of Federation of all India is concerned, as Mr. Rahman has remarked, it is receding further and further into the background. There are men like myself who are enamoured of this ideal of Federation. We are fascinated by this ideal. Even now, it is the dream of our hopes, the object of our highest aspirations. But supposing that Federation cannot be achieved now, cannot be achieved within a measurable distance of time, will the grant of full provincial responsibility wait for all this indefinite while? We are convinced that this ought not to be so. It may be asked, what will be the harm if we wait till the whole structure is complete? And it has been pointed out again and again that provincial responsibility cannot be finally determined without central responsibility. Logically, and speaking in the abstract, that may be quite correct. But in politics, logic is not everything: expediency has to be considered, public opinion has to be considered, the tension under which the public mind has been labouring, that too has to be considered. And to my humble judgment, it appears that every day's delay in granting the first instalment of the reforms, every day's delay in the grant of full responsibility in the provinces, is fraught with incalculable mischief. (Hear! hear!) It is not a new statement of facts, it is known to everybody in the House, that there is a considerable body of opinion in the country which is frankly hostile to the Round Table Conference, hostile to it, root and branch, and to whom all the proceedings of the Conference are a curse and an anathema. And this influential section of public opinion has got practically the whole of

the Indian press on its side. Every morning we find that the Press is trying to make out that the Round Table Conference is so much eye-wash, it is bunkum, it is meant for the purpose of humbugging the public and nothing will come, nothing is meant to come, out of it. That is the kind of poison which is being distilled every day and hour of the week. We, who support the Round Table Conference—we, who think that some good is bound to come out of it—we, who are fighting strenuously in trying to convince the public that the British Government means honestly and seriously to stand by its promises—we are a mere handful and our work is in the nature of an uphill struggle: and I ask the Government here, as well as the British Government in England, not to make our work harder—not to forge new weapons for the hands of those who are inimical to the very existence of the present Government.

Sir, what is the argument that has been used against the immediate concession of provincial responsibility? It has been urged, and urged by people for whom I have the greatest respect, urged by people like Sir Tej Bahadur Sapru and Mr. Jayaker, that the immediate grant of responsible Government will be a snare and a delusion—it will mean an indefinite postponement of central responsibility. In spite of my great respect for these eminent gentlemen, (Hear, hear from Rev. B. A. Nag)—and in spite of my great respect for the Rev. B. A. Nag who lends them the weight of his eminent name and valuable support—Sir, in spite of my great respect for these gentlemen, I should like to tell the House that I cannot perceive the least trace of any reason or argument behind their contention. I feel that their opposition is based upon a deep and incurable distrust of the intentions of the British Government. They think that, if provincial autonomy is granted now, nothing further will happen, the public conscience will be lulled in a sense of false security, and the British Government will go to sleep over the other parts of the constitutional structure. I ask —is this suspicion justified? People will say that the history of British India is a history of broken pledges; I have myself repeated this kind of stale platitude ere now; and, may be, there is a good deal of substance in the indictment. But my contention is—let us not be always harking back to the past. The past was full of misdeeds, it was full of errors and wrongs manifold—errors beyond all remedy and wrongs past all cure. But let us forget the past for the time being; let us look forward rather to the brighter dawn that is waiting for us in future. Judging by the seriousness and solemnity of the declarations which have been repeatedly made in the British Parliament and at the Round Table Conference, I ask once again, is there any justification for doubting the sincerity of motive behind the statements of men like Mr. Ramsay Macdonald or Mr. Stanley Baldwin? Sir, with great respect for the distinguished leaders whose names I have mentioned before and from whose opinions I venture to differ, I should say that

men like Messrs. Ramsay Macdonald and Stanley Baldwin are not likely to go back on their plighted promises—promises which have been publicly and solemnly made. They are not the kind of men who will sell the truth to serve the hour or palter with enternal God for power. And even as these men will not go back on their plighted word, so I take it that the great British people themselves will not go back upon their plighted word. In any case, and even taking things at their worst, I do not see what good can come of this attitude of constant suspicion, of perpetual distrust, of sheer and incurable hostility. Does it strengthen our case before the world? Certainly not. It only prolongs the agony in which the country has been plunged for several years past. Sir, is there any justification for all this?

I should like to glance at some of the arguments which may be advanced in support of the immediate grant of provincial autonomy. For one thing, Sir, we are tired of the state of agitation in which we have been living, especially in Bengal, for the last 20 years. Ever since the unlucky partition of Bengal, this province, more than any other, has known no peace. We have been going on from crisis to crisis, plunging from vortex to vortex, tossed about in the restless sea of turbulent political agitation. I shall be the last man to say that political agitation is bad. It is a tremendous thing in itself; it arouses and awakens our political consciousness, it strengthens the fibres of our mind, it makes us fit to play our part, great or small, upon the political arena of the world. I myself have taken some part in political agitation in my time, and, if I am proud of anything, I am proud of the humble share which I have been permitted to take in the strife and contention through which the country has passed during the last two decades. But you cannot live upon a diet of perpetual political sensations. We want peace in our time. And there is something more than a mere craving for peace in this matter. So long as the new constitution or at least a substantial instalment of it is not inaugurated in the country, we shall never be able to settle down to any work. At present, we are all at sea; and this state of unsettlement has affected the work of the Legislative Council, it has also affected the work of the permanent Civil Service. As far as the Council is concerned, I need not labour my point; you see it every day and on all sides of you. No one has any heart in the business; everybody feels that it is a temporary, make-shift, stop-gap arrangement to be shuffled through somehow or other. There is no sense of permanence anywhere, and we all seem to be marking time and idling away our energies. As it is with the Council, so it is with the Civil Service: Our civilians no longer put in that amount of work which they are capable of putting in. Everywhere you can feel that a sort of dry-rot has crept into every limb and member of the body-politique. The work of administration has been paralysed, and people merely go on doing the routine duties of the day and nothing more. They initiate nothing. There is no enterprise

left. The spirit of public service has left the Civil Service. It was not so before. There was a time when the members of the Civil Service really thought that they were serving the country—when they took the initiative in many things and launched upon many new lines of activity. But now they do not know who is master in the household, how things are going to turn out in the future, or what the tenure of their service is going to be. And so they go on, marking time, and performing the routine duties of office with the monthly consolation of a cheque in their pockets. But I refuse to believe that this can be their only incentive for work. To a body of honourable men like the Civil Servants, it must be galling to their sense of self-respect that they should be receiving money for which they are unable to render man-service in return. And this miserable state of inertia and torpor will continue to drag on unless the constitution is changed. I do not say that the grant of full responsible Government in the provinces will be a complete remedy for all our problems: but let us make a beginning, that is all that I plead for. Once a beginning has been made other things will come in time. After all, the grant of Central responsibility may take years to mature; and so far as Federation is concerned, in spite of our utmost aspirations, it may not come at all. Every day we are told of new schemes. One day it is "Federation" fathered by the Maharaja of Bikanir; another day it is "Confederation" fathered by the Maharaja of Patiala—or rather sponsored by the Maharaja of Patiala and inspired by a publicist, not unknown to fame and who is very much behind the scene in all these activities. And the result of all this clash and conflict of schemes may well be that the scheme of Federation will be still born and will never emerge into life and consciousness at all. That will be a misfortune deeply to be regretted. But, in the meantime, there are other things which are well within the scope of our endeavours; and it is my earnest hope that we shall concentrate upon the achievement of these.

6-45 p.m.

Sir, I speak specially for Bengal and for no other province in India, and in Bengal we want to make a beginning; we want to settle down to the work of nation-building. There is so much to be done! So much in the field of agriculture, in the field of industrial development, in the field of rural sanitation; and we feel that we have not touched the fringe of these problems even yet. We cannot expect Europeans to feel these things as the people of the country do; they cannot realize the agony that bites at our heart, and, even with the best of good wishes, they are powerless to serve us as we ourselves can do. We want opportunity to serve our country, and we want nothing else; and this opportunity will only come when the new constitution comes into existence. This land, so abundantly endowed by Nature and so shamefully treated by men—so green, so lovely, so pleasant—"well-watered,

well-fruited, green with the growing corn"—we want to make of it—Hindus and Muhammadans together, ay, and even the Europeans if they will stretch the right hand of fellowship to us—we want to make this land a fit habitation not for men alone, but for the gods. (Cheers.)

Mr. H. S. SUHRAWARDY: I am sorry I have to sound a discordant note so early in the debate and claim that, though I oppose the motion, I still am a Mussalman.

As the motion stands I am compelled to oppose it and I do so because I confess that I am a practical man and conversant with the views, modes, currents of thought and of action and the political controversies of India as a whole. I cannot hope that the Council will appreciate my arguments for we have been moved so much by the idealism of the movers of the motions that it will be difficult for it to come back to earth again. In the abstract the earliest realisation of full responsible government is an unimpeachable ideal and it must form part and parcel of the future constitution whatever Sir Tej Bahadur Sapru and Mr. Jayakar may say. If it does not do so, it will be on peril of revolution. Sometimes when I realise the hapless situation of Bengal, the manner in which it has been treated and the difference in the angle of vision between the people of Bengal and the Government, the Government of India in particular, sometimes when I feel desperate, I would like to brush aside all the doubts which assail me when I grapple with the difficulties and the practicabilities of the political situation, and welcome full responsible government under what terms and conditions it may be. We shall then be able to introduce State lotteries instead of living in chronic starvation and distress and debt By the way, Sir, may I say that I have received support from all intelligent quarters for the scheme, since the papers were good enough to publish it—and the first object on which I would spend our revenues will be the Department of Irrigation, for in it is life, while the other Departments of Government are merely the concomitants of life and are now only in use bolstering up a living death. And if then we can avail ourselves of the lead and services of the Hon'ble Member for Irrigation in his capacity as a responsible Minister, we may deem ourselves singularly fortunate, for we can never forget how he has responded to our demands and as a first step delivered us from the powers that were. But in the larger interests of India, in the interests of proper governance, in the interests of the establishment of harmonious relationships between the various peoples that form its population, I am unable to advise the immediate introduction of full responsible government under present conditions which can only be brought about under the Devolution Rules. For there are certain requirements that have to be fulfilled first and can only be introduced if there is a revision of the present constitution. Without these requirements Provincial Autonomy

will be a source of constant factions, we shall be delivered up to anarchy and, what is more, to a terrible internecine warfare. I shall shortly state some of the principal requirements. Firstly, after the apportionment of powers between the Provincial and the Central Legislatures, the residuary powers must be in the Provincial Legislature, and not in the Central Legislature, as at present; namely, that we must have a Federal Constitution and not a Confederation or a Unitary Constitution. The Princes may come or may not come, but the Federal powers must be defined. The Federation idea has not receded into the background. Federation is there and will be established whether the Princes join or not. Secondly, the finances of the provinces should be such as can make it self-supporting; Provincial Autonomy when the province is bankrupt is valueless. And the province must also be allotted certain subjects of taxation which if need arises, it can exploit. Thirdly, the franchise must be broader. It is possible that those who have been returned now will be returned then though the Franchise Committee has already condemned us as unrepresentative. Nevertheless, more people should be allowed to have a voice in the elections. Not that it will be to the benefit of India—for under present conditions, I fear, that democracy is a failure—but democratic ideas cannot be checked, and we shall first have to wander through the welter of administrative tragedies, before we can reach the shores of success. Fourthly, we must cease wrangling among ourselves. We must erase, if we can, the horrible nightmare of mutual suspicion. What injustices are likely to be enacted if Rai Haridhan Dutt Bahadur were to become the master of the destinies of a Collector of Excise, what quakings and quiverings of the heart, what panic and fear, if the name of a person who is respectfully designated the prince of smugglers was whispered in the dreams of Mr. Narendra Kumar Basu. As long as this feeling exists and it bursts forth from time to time, woe to dreams of a quiet and peaceful life. Fifthly—and this is bound up intimately with the fourth condition, and as a matter of fact provides a solution for it—the five provinces of Bengal, the Punjab, Sind, North-West Frontier and Baluchistan must have Muslim statutory majorities on the basis of separate electorate, at any rate for ten years. Muslims of India as a whole will never consent to any constitution—any transference of power to the legislatures without this being fulfilled. For in this they see, if not their safety, certainly a peaceful India, composed of communities who are prepared to respect each other's view, and who will perforce grow tolerant of each other's failings. In this is the solution of the communal problem. To-day the Hindu, unthinkingly I must say, passionately and blindly communal I must say, is unable to bear the idea of a Muslim majority in Bengal and the Punjab, at any rate he professes this in the hope of terrorising the Government with his protests and compelling it to be unjust to Mussalmans. He distrusts this majority, although he would compel us to accept his stupendous

majority in the other provinces; he objects to the Muslim majority although that majority is scarcely a majority, and although by his influence outside the Council, and his vested interests, he can compel the members of the Legislature to listen to his voice. He calls this justice and fairplay, that the Mussalmans must always be in a minority in all Provincial Legislatures and also in the Central Legislature. Now this question of the reflexion of proportions in the legislatures is an axiom of democracy—of Western democracy. For myself, I do not think it is sound at all for India and the Nehru Report has grievously blundered in accepting the principle. For we are not here concerned with a homogeneous population with different political creeds; we are not concerned with political parties, we are concerned with two, if not several, cultural unities, all of which must exist, and from the contact of which a greater India must be born. None of these cultures can die out and hence I would give adequate representations to the cultural unities irrespective of their proportion, and I would therefore straightaway adopt the formula of the late Mr. C. R. Das—a farseeing and just formula—that no majority shall ever be reduced to the position of a minority, while every minority must have adequate representation—on the basis of which he gave 60 *per cent.* to the majority community and 40 *per cent.* to the minority in all autonomous institutions. This could have solved the eternal wrangle and could have created that feeling of co-operation and comradeship without which India is doomed. But as this would, in view of the general minority of the Mussalmans, have given greater representation to Mussalmans than warranted by their population, our friends, our sworn friends, our brothers, our neighbours, our compatriots, the sons of a common mother, would not concede it to us; and the result we see before us. Now as a second best, and a bad second best at that, the Muslims have placed a formula before the country. They consider this the absolute minimum necessary to safeguard their interests without actually taking to the field and deciding our fate on a field of battle they consider this the best solution for engendering that feeling of toleration and mutual respect and mutual regard for each other's feelings, which they consider necessary in the best interests of India. Now we consider this so fundamental that we must insist on these requirements being fulfilled. To-day I feel bound to give expression to a feeling of disquiet in my community, which has been accentuated by certain recent tactless, unstatesmanlike, nay, vindictive, events on the part of Government. The patience of the Muslim is almost at an end; his faith and trust in the justice of Government has been rudely shaken and the party which believes that the Government only bends to the strong, that to put it mildly, it does justice when compelled to do it, is gaining ground rapidly. To us the whole problem is so simple that we can only put the procrastination and the pusillanimity of the Government in not deciding what rights the various communities will have to a desire intelligible, though fatal,

of putting off the evil day—lest justice to the Mussalmans may raise such a hue and cry in the Hindu camp that the one or two gentlemen who still profess themselves co-operators might be compelled to join openly the party they secretly admire.

So, Sir, placing if I may the Muslim point of view, provincial responsibility under the present auspices, without the various items I have suggested, is by no means a desirable thing. Certain minor incidents will follow, such as the practical disappearance of the official block and the nominated members and the special constituencies except labour; there must be constitutional safeguards for the representation of the communities in the executive and for the non-interference with a community's religion and religious observances with its culture, its language and its script. But the *sina qua non* of provincial responsibility is the opportunity to Mussalmans to govern the provinces where they are in a majority, the example of which will be a lesson to those who have lost the art of governance for a thousand years.

There is one other aspect of the case which, however, is, I hope, ephemeral, but which makes a Muslim majority in Bengal and in the Punjab essential. It is the utter lack of sympathy which the Mussalman has for the terrorist movement. I fear very much that the terrorist movement, starting with high patriotic motives, has to a large extent attracted the criminal elements, and degenerated into robbery, blackmailing and indiscriminate murder.

Mr. PRESIDENT: Order! order! It is time that I should adjourn the House. I shall call upon you first to-morrow morning to continue your speech.

Adjournment.

The Council was then adjourned till 10-30 a.m. on Saturday, the 19th March, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Saturday, the 19th March, 1932, at 10-30 a.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 112 nominated and elected members.

Starred Questions

(to which oral answers were given).

Moslems in the office of the Director of Public Instruction, Bengal.

***149. Maulvi SYED MAJID BAKSH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state--

(*i*) the present number of Upper Division assistants in the office of the Director of Public Instruction, Bengal (excluding that of the Assistant Director of Public Instruction for Muhammadan Education, Bengal); and

(*ii*) how many of them are Moslems?

(*b*) Is it a fact that the number of Moslem assistants in the Upper Division of the said office have been reduced from three to two during the last 10 years?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) (*i*) Fifteen.

(*ii*) Two.

(*b*) Yes: There was a decrease owing to the promotion of one Moslem assistant to a higher post in the Director of Public Instruction's office.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister kindly explain why out of 15 vacancies there were only two Moslems promoted?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Most of these appointments were made by promotion, and promotions are made on the ground of seniority and merit.

Maulvi SYED MAJID BAKSH: As regards (*b*), will the Hon'ble Minister be pleased to tell us why the number was decreased from three to two?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The answer is there.

Moslems in the office of the Director of Public Instruction, Bengal.

***150. Maulvi SYED MAJID BAKSH:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the present number of assistants in the lower grades of the office of the Director of Public Instruction (excluding the Assistant Director for Muhammadan Education's office);

(*ii*) how many of them are Moslems;

(*iii*) what are the educational qualifications (also technical, if any) of the Moslem assistants;

(*iv*) what is the length of their services;

(*v*) how many assistants have been promoted during the last 10 years from the lower to the higher grades;

(*vi*) what are the educational qualifications of those who have been promoted (also with technical qualification, if any);

(*vii*) how many of the promoted assistants are Moslems;

(*viii*) how many vacancies occurred in the higher grades during the last 10 years;

(*ix*) how many of them have been filled—

(*a*) by promotions,

(*b*) by direct recruitment,

(*c*) by transfer from outside the office; and

(*x*) how many of the vacancies have been given to the Moslems?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) Thirty-seven.

(*ii*) Sixteen.

(*iii*), (*iv*) and (*vi*) A statement giving the required information is laid on the Library table.

(*v*) Six.

(*vii*) One.

(*viii*) Seven.

(*ix*) (*a*) Six, (*b*) nil, (*c*) one.

(*x*) One.

Maulvi SYED MAJID BAKSH: On comparing with the statement laid on the library table, I find that the vacancies were filled by persons who were failed B.A.'s, failed F.A.'s and so forth, whereas in the case of Moslems, passed B.A.'s, passed clerkship, book-keeping, etc.——

Mr. PRESIDENT: What is your question, Maulvi Saheb? You are only permitted to put supplementary questions, that is all.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to tell us why it is that better qualified Moslems were not promoted?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: As I have said before, in cases of promotions, seniority and merit, both are taken into consideration, and all these promotions were based on those considerations.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to consider the desirability of compulsorily retiring or doing away with the Hindu employees in order to make room for Muhammadan candidates?

Mr. PRESIDENT: Is that a question or a joke?

(Maulvi SYED MAJID BAKSH rose from his seat and was going to put a question.)

Mr. PRESIDENT: You cannot put a supplementary question without your name being announced.

Advisory Committee of the Joint Steamer Companies at Bakarganj.

***151. Maulvi ABDUL GHANI CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state the names of the persons who are on the steamer advisory board at Barisal under Inland Steam-Vessels Act, representing the municipality and merchant class?

(*b*) Will the Hon'ble Member be pleased to state—

(*i*) whether it is a fact that the gentleman representing the municipality on the said board is the retained pleader of the steamer company; and

(*ii*) whether the gentleman representing the merchant class carries on any business whatsoever?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) and (*b*) (*i*) and (*ii*) The questioner presumably refers to Babu Sarat Chandra Guha. At the time he was invited to serve on the Advisory Committee he was Chairman of the Barisal Municipality and it so happens that he is also the retained pleader of the Joint Steamer Companies. It has been ascertained that the Joint Steamer Companies have notified the Barisal Municipality that that body may elect their own member to serve on the Advisory Committee.

There is no Merchants' Association at Barisal. There is a Merchants' Association at Jhalakati and the Joint Steamer Companies are agreeable to a representative from that body being elected to serve on the Advisory Committee.

It has also been ascertained that the steamer companies have agreed to a request of the Bakarganj district board to nominate a member to serve on the Advisory Committee.

Collector of Nadia and municipal elections.

***152. Dr. NARESH CHANDRA SEN GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that the Collector of Nadia has definitely identified himself with one party and has actively tried to interfere with the election by the rate-payers—

(*i*) by publicly stating before the rate-payers that he would not approve the election of Babu Sadananda Bhattacharjya as Chairman;

(*ii*) by approving and actively promoting a resolution passed by the committee of the Bakultala High English School, of which he is the President, dismissing Babu Sadananda Bhattacharjya who is a teacher of the school, for seeking election as a Commissioner without permission of the school authorities and refusing to resign his seat as Commissioner after election; and

(*iii*) by recommending to the Inspector of Schools, Presidency Division, that the resolution of the school authorities be approved, after the syndicate of the Calcutta University had ordered the reinstatement of Babu Sadananda Bhattacharjya pending decision by the syndicate?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government contemplate giving any warning to the Collector to abstain from such interference with the elections in future?

(*c*) Is it a fact that Babu Sadananda Bhattacharjya was once removed from Chairmanship in 1928 and had again to vacate his seat in 1931 under the orders of the Government?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state what were the charges on which he was so removed?

(*e*) Will the Hon'ble Minister be pleased to lay on the table copies of the reports of Mr. Durno, Collector, and Mr. Robertson, the Commissioner, on those charges?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) No such complaint has been received by Government.

(*b*) Complaints of interference with elections would be inquired into if received, but no action can be taken where there has been no complaint.

(*c*) He was removed from his office in 1928 and again in 1931 by a resolution of the Municipal Commissioners at a meeting specially convened for the purpose in favour of which not less than two-thirds of the Commissioners gave their votes under section 24 of the Bengal Municipal Act, III of 1884, which received the approval of Government under section 59 of the same Act.

(*d*) and (*e*) Government are not prepared to lay these papers on the table.

Unstarred Questions

(answers to which were laid on the table).

Sale Supply Society of Narayanganj, Dacca.

81. Maulvi ABDUL HAMID SHAH: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that at the time of starting the Sale Supply Society of Narayanganj in the district of Dacca half the Reserve Fund of the rural banks under the Raipura Central Co-operative Bank, Ltd., was realised through the said central bank?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, have been taken for refunding the amount to the individual rural banks of Raipura?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab K. G. M. Faroqui, Khan Bahadur): (*a*) Government are aware that this took place, but it was done in 1929 while the society was started in October, 1926.

(*b*) It is understood that the Raipura Central Bank, Ltd., has preferred a claim for refund of the money involved, to the liquidator of the Narayanganj Central Co-operative Sale and Supply Society, Ltd. The orders of the liquidator in respect of the claim shall be final. Government cannot interfere with the finding and decision of the liquidator.

Supply of quinine to district boards.

82. Babu SATISH CHANDRA RAY CHOWDHURY: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government (Public Health) Department be pleased to lay on the table a statement showing—

(*i*) what is the total quantity of quinine supplied to the district boards in Bengal each financial year for the five years ending in March, 1931; and

(*ii*) what is the quantity supplied from April, 1931, to January, 1932?

(*b*) Is there any reduction in the estimate of supply of quinine in the year 1931-32?

(*c*) If the answer to (*b*) is in the affirmative, what is the reason for such reduction in the supply?

MINISTER in charge of LOCAL SELF-GOVERNMENT (PUBLIC HEALTH) DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) (*i*) A statement is laid on the table.

(*ii*) Quinine sulphate and cinchona febrifuge to the value of Rs. 28,279 were received by the district boards from April, 1931, to January, 1932, on part account of their district quota.

(*b*) No.

(*c*) Does not arise.

Statement referred to in the answer to clause (a) (i) of unstarred question No. 82.

VALUE OF QUININE SUPPLIED TO DISTRICT BOARDS.

Years.	Allotments.
	Rs.
1926-27	... 75,000
1927-28	... 60,321
1928-29	... 84,458
1929-30	... 48,412
1930-31	... 52,524
1931-32	... 45,373

The Hadj Day.

83. Maulvi NURAL ABSAR CHOUDHURY: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state if it is a fact that 8th Zil-Hadj has been announced as the *Hadj* Day in a press note issued by the Government recently?

(*b*) If the answer is in the affirmative, will the Hon'ble Member be pleased to refer to any Islamic authority?

(*c*) Have the attention of the Government been drawn to the view held that the *Hadj* Day is the 9th Zil-Hadj (Dhil Hijja) and not the 8th?

(*d*) Have the Government corrected the announcement?

(*e*) If not, why not?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): (*a*) Yes.

(*b*) Does not arise.

(*c*) Yes.

(*d*) Yes.

(*e*) Does not arise.

Maulvi SYED JALALUDDIN HASHEMY: With reference to the answer to (*b*), will the Hon'ble Member-in-charge be pleased to state why it does not arise?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: The announcement was due to a mistake.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state who committed that mistake and was the press note seen by him before it was issued to the press?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: The press note was issued exactly as it was received from the Government of India.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to tell us whether it was due to the negligence on the part of the Hon'ble Member-in-charge?

Mr. PRESIDENT: I do not allow that question.

Demands for grants.

The discussion under the head "22—General Administration" was then resumed.

Mr. H. S. SUHRAWARDY: Before, Sir, I take up the thread of my speech of yesterday, I should like to say that much of our voting will depend on the interpretation which we give to the word "immediate," for the speeches of the hon'ble movers of the motions do not make that very clear. Living as we are in a world of relativity, "immediate" may have various significations in time dimensions. If by "immediate" is meant the introduction of provincial autonomy straightaway, the grafting of responsible government on the fabric as it now stands,—the only difference being that instead of diarchy we shall have responsible Ministers,—I emphatically disagree; and I know that I am voicing the opinion of Moslem India, not of dilettanto politicians, not of arm chair idealists, not of provincial or parochial visionaries, but the views of men of action, the views of those who see with a farseeing vision, the views of those Muslims who have to fight for their very existence, the views of those who are prepared to sacrifice for their just rights. And I would beg my Muslim friends to stretch forth their hands to their brethren across the boundaries of this province, and pay adequate attention to their claims. It is up to the Muslims of Bengal not to desert them, as they have not deserted us. For if we do, we shall give one more example of that political blunder, that insensibility, if not ignorance, that has hitherto stood in the way of Muslim Bengal participating adequately in forging the destiny of India as a whole. If, however, by "immediate" is meant that full responsible government shall be introduced in the next constitution and that as early as possible and that the Hindu-Muslim question must be settled as early as possible and the advance shall not be hampered by

dialectic discussions on Federation and the attitude of the Princes towards it, or by intransigence on the question of responsibility at the centre, then not only do I approve of it, if it incorporates the conditions that I have laid down, but I am prepared to say that if it is not introduced, India as a whole will revolt against the administration.

I also at this stage crave the forgiveness of this House if by introducing practical politics——

[Here the member, having reached his time-limit, resumed his seat.]

Mr. S. M. BOSE: Sir, it is indeed unfortunate that Mr. Rahman should have brought up a matter which has taken a very unfortunate communal turn, and is likely to provoke bitterness of feeling. I am entirely opposed to the idea of provincial autonomy by itself, unless at the same time responsibility is established at the centre. Does Mr. Rahman realise the tremendous control exercised by the Government of India over Bengal? An examination of the Government of India Act proves this immediately. For instance, I may refer to section 45 of the Act which says that subject to the provisions of the Act and the rules, every local government shall obey the orders of the Governor-General in Council and keep him constantly and diligently informed of all its proceedings, and is under his superintendence, direction and control in all matters relating to the government of its province. Reference may also be made to sections 19A, 45A, 129A, and also to section 72, power of the Governor-General to make ordinances. We are well aware of the control exercised by the Government of India over Bengal in matters of finance; important sources of revenue like the income-tax, custom and jute tax are under the central Government.

It is thus clear that if we want full control over the province, the central Government must be made responsible, for obviously autocracy at the centre, as now prevails, can at every stage hinder the freedom of this province. Therefore, there must be reform at the centre along with reform in the provinces. Provincial autonomy will be a sham and a farce, if our freedom can be interfered by an irresponsible central Government. We must, therefore, refrain from demanding autonomy in the province without at the same time demanding autonomy in the centre, subject to necessary safeguards.

One potent reason which impelled our far-sighted leaders to refuse the tempting bait of provincial autonomy by itself was the firm belief that in that case, the root idea of responsibility at the centre would then recede in the background for several years, and in the meantime we shall not be able to settle down to constructive work, and destructive agitation will go on. We all know that it was the decision of the Die-Hards in England to stop for good the work of the Round Table Conference with the close of the second session, with a promise merely

of provincial autonomy. Our leaders there saw the danger and were able to avert it, and the Prime Minister on the last day gave the assurance that reform at the centre will accompany reform in the provinces. We rely on this pledge, and have every faith in the Prime Minister. This attempt on the part of the mover to induce him to go back on his pledge is, therefore, to be regretted. I cordially agree with every word that Mr. Jitendralal Bannerjee has said about the value of the work at the Round Table Conference. On the 22nd February, 1931, I moved the first resolution to commit the Council to a policy of approval of the work done at the Conference and to a pledge of co-operation. So I cannot be accused of any lack of sympathy with the work of the Round Table Conference. I need hardly assure Mr. Bannerjee that I have every faith in the Prime Minister and for this reason I ask the movers not to place any obstacle in the way of Mr. Ramsay MacDonald's carrying out his promise on the last day of the Conference.

One word more, and I have done. I cannot but regret exceedingly the narrow outlook and the bitter tone shown in Mr. Saheed Suhrawardy's speech. He rattles his tin sword, struts up and down the stage, and declaims against the vile Hindus. This valiant Moslem who talks of fight, is mortally afraid of Hindus, though his people form the majority. He dares not risk any contest, unless safely sheltered in a funk hole—statutory majority. What is he afraid of? Are not the Moslems in a majority, and can they not beat the Hindus in an election contest? Why does he want a statutory majority?

Sir, we are not afraid; we know we are a minority, and yet we are national enough to ask for joint electorate. Sir, we have no 14 or 16 points, we have but one single point—promotion of nationalism through joint electorates. We are not afraid of our brother Moslems taking their rightful share in the government of the country which is as much theirs as ours. They are the children of the soil, and they are as much interested in the progress of our motherland. Sir, liberty, equality, fraternity, these ideas form the splendid contribution of Moslems to the world culture; but how can these be confined to Moslems alone? These mean liberty for all, not merely Moslems, equality and fraternity for all, Moslems and non-Moslems, for Hindus as well.

10-45 a.m.

Mr. J. N. GUPTA: I must first of all congratulate Mr. Rahman on the brilliant speech he delivered yesterday and on the moderation and fairness with which he pleaded the cause of the immediate introduction of provincial autonomy. I cannot say with Mr. Bose that he was guilty of any dereliction of duty in referring to a matter in his speech which we know is uppermost in the minds of most Indians at this moment. It is much better that we should express our views and have an open

discussion on the subject than keep back any opinion which we may hold on the subject. As long as we can express our views with moderation and justice and fairness to all communities and keep before our minds' eye the one primary object which, as Mr. Bose has described it, is the cause of nationalism for the province as a whole, we do no harm, but on the contrary it will do a good deal of good. It is also my duty to express my disappointment at the speech of a member, in marked contrast with that of Mr. Rahman, a person from whom, judging by his education and his apprenticeship under the late Mr. C. R. Das, this House had a right to expect a more broad and national outlook. But I will not say anything more on that point.

Naturally we all like to have provincial autonomy, but at the same time we cannot forget the fact that provincial autonomy by itself is not the constitutional issue of India before us at the present moment. It involves a very complicated series of problems which must all be explored and all difficulties, as far as possible, must be removed from the way before we can usher in a new constitution. Therefore, a certain amount of patience is absolutely necessary. Mr. Rahman said that the three outstanding questions before us now are: federal structure for an all-India scheme, scope and powers of the central Government and the powers that are to be given to the autonomous provinces. There has been no doubt some regrettable delay—I will not say regrettable but perhaps unavoidable delay—in threshing out the details, but nobody should have the hardihood or the ingratitude to suggest that those brave leaders of India who attended the Round Table Conference are responsible for the delay that has occurred. I am perfectly certain that when the history of this period of our national evolution comes to be written, the memorable part which they played in that great battle, the memorable display of their eloquence and of their great knowledge of intricate constitutional questions will be recorded in letters of gold. We cannot feel doubtful about the country's gratitude for them. There have been difficulties and delay, but they have been unavoidable.

Coming to the problem before us, although it may not be possible for us to draw up the full scheme of federal structure at once, yet it may be quite possible to have a responsible central constitution worked out before we can attain provincial autonomy. I entirely agree with my friend Mr. S. M. Bose for the very cogent reasons which have been placed before the country that autonomy in the provinces will not be workable without some system of autonomy in the central Government. How far autonomy in the central Government is to be granted—that has to be worked out, but unless that point is settled, it is not possible or desirable to rush into a scheme of provincial autonomy; it will not be autonomy at all.

Now I come to the demand made by my friends, the Muslims, that in Bengal they should have a separate electorate and that they should have a statutory majority. It is sometimes pointed out in this connection that the poor Hindus of Bengal should be treated as hostages for the good behaviour of the Hindus in other provinces where the Hindus are in a majority and the Muhammadans in a minority. It might seem strange that I should give expression to such an opinion, but this is the exposition of the Moslem case by the late Mr. Shafi. He expressed the opinion and actually pointed out that the vision of future India before him was that in four of the provinces the Hindus would be in a minority and in eight of the provinces they would be in a majority, and in the centre also they would be in a majority. Therefore the Hindus in Bengal would serve as a guarantee for the good conduct of the Hindus of the other provinces. Is this the outlook of a person of education, and of any person who claims to voice national sentiments? I am afraid we are haggling over petty details. I am very glad that the matter is now in the hands of the Prime Minister of England who with his wide experience and intimate knowledge of the difficulties in the way of the Round Table Conference experienced in its different stages, has the confidence of all parties here. The whole question is before him and we can very well leave the matter in his hands. We on this side of the House at least are sure that he will come to a right decision. I am sure the question will be decided in a manner which will not only be to the best interests of the people and of all the communities but also to the permanent interest of that great experiment in constitutional history which will be one of the greatest yet recorded in history.

Mr. A. K. FAZL-UL HUQ: I have butted in as a surprise to the Council, but I never knew that in coming here this morning it would be my lot to listen to such communal bickerings over a question on which there should be perfect unanimity of opinion. I rise, Sir, to record an emphatic protest against the manner in which my esteemed friend, Mr. S. M. Bose, has twisted the speech of Mr. Shaheed Suhrawardy, as if it were an attack on the Hindu community in general. I ought to tell my friends that we, the Moslems, are not afraid of anything or of anybody, but we are certainly afraid of dishonesty, whether that dishonesty rests with the Hindus, or Moslems or even with the Europeans. We know that our countrymen are composed of persons of the highest integrity of character, but nevertheless there have been men who have occupied public positions of trust which they have disgraced in many instances by exhibitions of communal bias, before which the alleged communalism of the Moslems vanishes like mist before the rising sun. We have examples of these things in the Calcutta Corporation. Does my friend know that there the Moslems

who are in a minority, an absolute minority, suffer every day, every moment, from grievances from which they cannot get any redress, by reason of the fact that there democracy manifests itself through its struggle to exercise tyrannical power? Is it not a fact that only the other day when a Moslem was appointed as Collector of Excise, Calcutta, by a Hindu Minister, we have had virulent attacks made upon him by persons who know nothing about him or his politics, but who want to air imaginary grievances in order to make out a case that he should be transferred from that particular office?

11 a.m.

That officer was hardly firm in his saddle when attempts were made to pull his stirrups and haul him over the coals.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Is the member entitled to discuss this point in connection with this grant?

Mr. PRESIDENT: Mr. Ray, if such interruptions are allowed, I think it would be impossible to have any debate worth the name. We are discussing a very very broad question and naturally it is impossible for any member to strictly confine himself within the outward limits of this motion. This is an exceptional motion and I think that some latitude should be allowed. (Hear, hear.)

Mr. A. K. FAZL-UL HUQ: All Hindus are not alike nor are all Moslems alike. If all Hindus were like Mr. Jatindra Nath Basu or my friend Mr. Narendra Kumar Basu who carries a very large heart, beneath a somewhat rough exterior, or even if they were like my friend Mr. Bose who with his honeyed tongue carries on propaganda against an unsuspecting community, we would have nothing to fear. But, Sir, we have had bitter experience of the activities of the members of both communities. Powers are exercised by the members of both communities to the detriment of each other without due regard to the interest of the country as a whole. I am not here to discuss that point. If we consider the motion that has been brought before this House by Mr. Rahman, we shall at once find that the issue is of a very simple character. I am sorry that Mr. Suhrawardy should have thought fit to raise a discordant note and referred to certain matters in order to emphasise certain points which need not be considered at the present moment at all. It is true that we did put forward certain arguments in favour of special safeguards for the minorities—not safeguards for all time to come but as a temporary expediency in order to give us full opportunity for coming into line with other communities and thereby co-operate with each other and co-ordinate our efforts for the uplift of

the country as a whole. I do not think I shall be permitted to disclose all the secrets of the Conference in London; but this is a fact that there was a time when we all agreed that we should not wait for responsibility in the centre but begin with responsibility in the provinces. The reason is simple. To get responsibility in the centre, we would have to wait for very many years—we would have to deal with the Princes and to put our faith in them. They are very funny people who do not seem to know their own minds. We, therefore, thought that we should begin with provincial autonomy. Suddenly Sir Tej Bahadur Sapru and Mr. Jayakar, as we all know, gave out that they would not have provincial autonomy unless and until they had responsibility in the centre. That was certainly not the Moslem view. But two of our friends joined hands with them without consulting us and signed the petition which was presented to the Secretary of State. That was however, not the view of the Moslem delegation; but at that time it was too late to bring this to the notice of the Secretary of State. We thought that if any of the provinces wanted provincial autonomy to begin with, that province should have it. At present it is true that in the Council, as it is now constituted, we are practically in a hopeless minority. We have got to depend on the official block and the Government-nominated and the European blocks in order to keep the balance of power; and Mr. Suhrawardy thought that if under these conditions provincial autonomy were given, our interest would be in jeopardy. I do not share with him the fear that our Hindu friends will be so dominant as to keep us perpetually under their control. So far as the proceedings of the Bengal Legislative Council are concerned, our Hindu friends have always acted with a sense of fairness and justice to the Moslems. We have had very little difference in this Council and although we come through a separate electorate—the Hindus also come through a separate electorate—we always forget the electorate from which we come and co-operate with each other in regard to everything that conduces to the public good. Therefore, even if provincial autonomy is introduced at the present moment, although we have not a fair share of the representation, we have absolutely nothing to fear from the Hindus. On the contrary, if the province were to have autonomy, then it would be easier for us to have a federated India, because at that time we shall have in the provinces a set of units functioning as autonomous Governments. That is the idea which many of us had before us, namely, that the provinces should be given autonomy in order at any rate to give them some sort of experience so that they may be able to federate with one another and to co-operate with the centre and the centre would at the same time get responsibility like the responsibility we have got in the provinces. As regards Mr. Bose's contention that without responsibility at the centre provincial responsibility will be a sham, I may point out that we are all agreed that responsibility at the centre cannot go beyond certain

limits. We may not like diarchy; but there are certain subjects which must be reserved and the Government of India's and the Governor-General's control must be of a stricter character than the control which the Governor is expected to exercise in the provinces. In the provinces we shall have absolutely free hand in all matters with only a nominal power of inteference vested in the Governor. It will be just like the power vested in the King-Emperor in regard to the British Parliament. But so far as the centre is concerned, we must have certain limitations, and to say that provincial autonomy must wait unless and until the question of the centre is settled is, I think, putting the case too high. I ask my friends to consider whether the time has not come when we should press for provincial autonomy and after gaining experience in the working of responsible government in the provinces, we should qualify ourselves for the larger responsibility in the centre which is sure to come to us in the fullness of time. Let me assure my Hindu friends that we have nothing to fear from them and they have nothing to fear from us. We have nothing to fear from one another. I ask, how long will this mutual distrust continue? If there is any fear, let us do away with it—let us have provincial autonomy—let us co-operate —not by throwing mud at one another, but by working together for the common good of the country. Sir, with union, with harmony, with trust, with confidence will grow that nationalism which is the goal not only of the Hindus or of the Moslems but of every community in India. It is not through diversity but through unity, not through quarrel but through co-operation, that this nationalism will be possible. If Mr. Bose makes a strong speech, some of us may perhaps make a stronger speech, but that will not help the cause of India. It is not by mutual bickerings, not by mutual distrust, not by attacks and counter-attacks, but by trying to look far into the future that we can attain that end which is the objective of us all. Before I sit down, let me take this opportunity of assuring my friends here that so far as the British people are concerned, so far as the British Parliament is concerned, so far as the British Ministers are concerned, they are extremely anxious that something should be done to satisfy the legitimate aspirations of the Indians. The atmosphere there is so conducive to our national advancement that it would be suicidal to let go this opportunity and allow other inimical influences to swerve us from our legitimate purpose. I think we should fail in our purpose, fail in our mission to attain full responsible government in India, were we to let this opportunity slip away. Let us come forward and press for provincial autonomy, let us gain experience by working in co-operation with one another and remove any spirit of communalism, because that is not in our hearts of hearts. I strongly support the motion of Mr. Rahman whose speech I have not had the privilege of hearing, and I cannot admire too strongly the moderation and restraint with which Mr. Gupta has put his motion before the Council.

Sir LANCELOT TRAVERS: To begin with, I wish to add my congratulations to those of others to Mr. Rahman. He made an eloquent and lucid speech last evening in introducing his motion and it was a pleasure to listen to him. Mr. Fazl-ul Huq has dilated on the opinion of the British people with regard to the new constitution. Sir, our feelings and the opinions of the non-official Britishers in regard to the future constitution of India are entirely regulated by what has happened in the British Parliament and by the statement of the Prime Minister regarding the policy of the British people towards the constitution of this country. That policy has been accepted by the British Parliament and the British people, and when she has made up her mind and given her word, Britain does not and will not change.

Sir, I presume that Mr. Rahman's motion refers to the desirability that a Bill to achieve provincial autonomy should be presented to Parliament as soon as possible—Part I of the new constitution, as it is called, to be followed by Part II as soon as all the preliminaries are complete. Well, Sir, the European Association was certainly in favour of the introduction of provincial autonomy first. As Mr. Rahman has said, so was the British Government. But it will be remembered, as Mr. Fazl-ul Huq has just now said, that the Hindu delegates of the Round Table Conference were unanimous that they did not want provincial autonomy without responsibility at the centre. They do not want the introduction of provincial autonomy until central responsibility can be given as well. The majority of those delegates came from the Assembly and from Bombay and they have always thought less of the provincial Governments than that of the centre. Now who are to be listened to? The provincial councils or delegates of the Round Table Conference? If provincial autonomy were now initiated, the delegates of the Round Table Conference would charge the British Government and the Parliament with breach of faith.

Sir, I do not consider it to be possible to hand over all the departments under this constitution. And I agree with Mr. Suhrawardy that the whole future will be jeopardized unless there is sufficient money. Without money you cannot get on. I may say that if there had been sufficient money at the disposal of the present Ministers, they could have successfully carried into effect many beneficial schemes prepared for the improvement of the condition of the people. But for want of funds these schemes, though complete, could not be carried into effect. If there had been money even under the present constitution many improvements could have been effected. I think, Sir, that it would be even more difficult for the new constitution to work successfully without sufficient money and without money the new constitution will be a failure.

11-15 a.m.

I myself and my community are not in favour at present of handing over the security departments—the Police and the Magistracy—to the control of either a Hindu or a Muhammadan Minister.

Mr. Bannerjee said yesterday that the communal evil will disappear. We hope indeed that it will, and as soon as it does disappear, our objections will be removed. But, Sir, as far as we can see at present, we consider it most desirable that a Britisher should continue to be in charge of the Police Department in this province. As regards the communal evil, all depends on a spirit of toleration, one for the other, and until we see that that spirit of toleration has entered into the minds of the people, we think that for the safety of the province the Police Department should remain under the charge of a Britisher. There is a considerable section of my community who say that before handing over any department terrorism must be destroyed and crushed.

Mr. Bannerjee said yesterday that he desired the Britishers to extend the hand of fellowship to Indians. We, on our part, can claim to have extended the hand of fellowship to our Indian friends for them to grasp. As you know, we, at any rate most of us, have, during this period of the reforms, done our utmost to make the reforms a success, and it is perfectly certain that it is our desire to work with our Indian fellow-subjects so as to make the future constitution a success. Many of us desire, like Mr. Bannerjee, to see more good done for the people, and we want the present atmosphere of distrust to disappear; it will disappear with better education and better health of the people, and in that feeling of co-operation every one of us will try our utmost to bring about the political advancement of this province.

Babu JATINDRA NATH BASU: Sir, I regret the communal turn that has crept into the discussion. I will leave that aspect alone, as I have not succeeded in lashing myself into a communal frame of mind. In considering the question of provincial autonomy, we should have clear ideas as to what we are discussing. The expression "provincial autonomy" has been in use in India for nearly a quarter of a century. A quarter of a century ago the Government in this country was unitary and the entire power rested with the Government of India. The provincial Governments were mere agents of the Government of India to carry out the functions of the State in their respective localities. Well, Sir, when the Montague Reforms came, it was clear that though there was a desire to grant some kind of autonomy to the provinces, that autonomy was of a very limited description, inasmuch as a great deal of the power, particularly the power of the purse, remained "reserved." Consequently, the departments, to which Sir Lancelot Travers has referred, *viz.*, those which touch the every day life and doings of the

eople—such as their health, economic condition, and education—those lepartments continued to be starved while other departments, *viz.*, those vith which the people have nothing to do every day of their lives reeived much greater support from the Government. In the Round Table Conference, to which Mr. Rahman in his very able, lucid, and loquent speech has referred, three ideas were discussed, *viz.*, the idea f Federation, the idea of responsibility in the centre, and the idea of rovincial autonomy. Well, Sir, if Bengal and the other provinces of ndia were independent States, States having complete sovereign ower, and all these States were to combine to form a Federation, then he question of provincial autonomy would be easier, because the Federation would only have those powers which the constituent units ontributed to it and the constituent units would take good care not o contribute any power which might hamper them in their ordinary nd beneficient activities. Well, situated as we are, living for over a entury under a unitary system, a system which is ingrained in our ery being, it is extremely difficult for us to talk of "provincial utonomy." If it is over-weighted by the power at the centre, it would e more or less an autonomy in name only. In discussing the question s to what the Federal or central powers were to be, at the Federal Structure Committee of the Round Table Conference, as Mr. Fazl-ul Huq must have noticed, a great many of the powers of State were reserved to the centre, such as powers in regard to civil and criminal aws, and to a certain extent the power in regard to the purse and arious other matters which affect our activities and well-being as a rovince. If these powers continue to be central, and the centre has o responsibility, it is no use our having such provincial autonomy, that s to say, a system of constitution for the provinces in which, instead f having nominated members for the Executive Council, there will be nembers who will be elected members of the legislature. The Minister's powers will be circumscribed, because he will have to refer to the entral Government and obtain its sanction in various matters in the rdinary functions of his department. If there is going to be a new onstitution, then it is necessary that the centre should have a constitution which will respond to some extent to the wishes and the desire f the people, because the centre would then act, not merely, as we ave been complaining in the past, under instructions from Whitehall, ut the centre would look to the needs of the people of India and see hat is good for them and what is conducive to their progress and dvancement and act to some extent after a full consideration of the esires and aspirations of the people. That was the main reason why he delegates to the Round Table Conference, as Mr. Fazl-ul Huq nows, thought that it was no use having mere "provincial autonomy" —an uncertain term—a term which in its actual application may be so ircumscribed as to be useless. I may say that, as Mr. Fazl-ul Huq as pointed out, two of the Muhammadan members of the Round Table Conference, who throughout the Conference acted practically as the

spokesmen of the great and important community to which they belong, supported this view, and the British delegates from India, *i.e.*, those who represent Britishers in India, also supported that view. So, it is remarkable that it was not the Hindus alone that were unanimous, but, as Mr. Fazl-ul Huq, in attending the sittings of the last two or three days of the plenary sessions when this question was finally decided, must have noticed, that there was one united expression from all sections of the Conference supporting simultaneous responsibility at the centre along with provincial autonomy.

Mr. Fazl-ul Huq has made a reference to the safeguards. Well, the safeguards that were asked for by the British delegates and by the Britishers from India, were such as would not ordinarily interfere with the functions of provincial Governments. They related, as you know, to questions of currency and exchange for the transition period and of foreign relations during that period. Well, we in this province do not want to have much to do with foreign relations. We do not want to fight with other people, and I do not suppose that any difficulty will be felt by the province about that. As regards currency and exchange, as monetary dealings of the Government will be central, we might be affected along with the rest of India by any particular policy with regard to currency or exchange, and we might suffer along with the rest of India, but there will be no interference with our everyday life in the same way as other acts of State. Therefore, I desire to point out that in supporting the mere expression "provincial autonomy" we might probably commit a blunder; and I would request the House to consider very carefully whether they would support these words only without going into the implication of those words, because those words have commenced to be used in responsible political circles not to-day, not even during the life-time of the Round Table Conference, but from long before, and at the time when they were first used, they were used only to mean a very modified form of provincial autonomy—a kind of authority from the centre to exercise certain functions on behalf of the central Government. I would, therefore, urge upon the House to exercise its vote after very carefully considering the implication of those words.

11-30 a.m.

Mr. NARENDRA KUMAR BASU: I am afraid I cannot lend my support to the motion moved by Mr. Rahman because of the wording of it. I am not going to add to the pæan of praise of Mr. Rahman's most excellent speech. A word of commendation or congratulation from me would not add to the value of the speech. I submit, Sir, that the reasons against the immediate introduction of full responsible Government in the province that have been given by Mr. Jatindra Nath

Basu are good enough to indicate to the House that the time for the grant of immediate provincial autonomy is not yet ripe.

Mr. Basu and Sir Lancelot Travers have pointed out that without adequate finances provincial autonomy is bound to be a failure. If Bengal is to go on under the present financial settlement, and its resources cut and clipped as they have been during the last few years, then I dare any one to say that provincial autonomy is not bound to come down with a crash. It is for this reason that I think that the House would be well advised not to agree to ask for the immediate grant of provincial autonomy. If sufficient finances were guaranteed to the province, and if it was made clear that provincial administration could be carried on without undue interference by irresponsible authority in the centre, then and then only would provincial autonomy be acceptable to the province. I do not think I need add many words to show the thoroughness of the position, but I cannot take my seat without making a reference to the speech of my friend, Mr. Fazl-ul Huq. We are very glad to see his visit to this Council—his visits are like those of an angel—not that we hope that he will become one for many years to come—but his visits have been few and far between. Evidently he has been brought down to throw oil upon troubled waters. Not having heard the speech of Mr. Suhrawardy, Mr. Fazl-ul Huq comes and after listening to the speech of Mr. S. M. Bose accuses him of introducing a communal turn into the debate.

Mr. Suhrawardy's speech, as you all heard, was one long stream of bitter invective against his friends, the Hindus. I am sorry Mr. Fazl-ul Huq has not been able to escape making reference to Dr. Dutt's motion regarding the Excise Collector of Calcutta. Mr. Fazl-ul Huq seems to think that a Muhammadan officer is sacrosanct, and that if a Hindu member gets up and reads chapter and verse against that officer, it must be communal. I think it is absolutely inexcusable for a man of Mr. Fazl-ul Huq's position to accuse Dr. Dutt of communalism, because the facts given by Dr. Dutt and the letters read out, have not been controverted. I shall not proceed in that direction any further. I do not want to follow in the footsteps of Mr. Suhrawardy in his communal attack. I do not want it to be understood that Mr. H. S. Suhrawardy represents any considerable section of the Muhammadans. I am sure he does not. You have heard him say this morning that his outlook is towards the Muhammadans outside Bengal, and, therefore, in order to guard the interests of Muhammadans outside Bengal, he wants to fall foul of the Hindus. He forgets that a very considerable percentage of the Moslems of Bengal belong to the same stock as the poor despised Hindus. He forgets that the Hindus of this province speak the same language as the Moslems of this province. He forgets that although there is an attempt at introducing Persian in some of the Mussalman families, they are still Bengalis, and I do not want them to forget that they are Bengalis.

Mr. SARAT CHANDRA BAL: Sir, I consider it my imperati duty to take part in the present discussion. Sir, the population the depressed classes in Bengal is 11½ millions and as a member of tl class I must give out their opinion.

Sir, there is none under the sun who is not a lover of power a honour and I must say that my heart leaps up with joy the moment think that full responsible Government is going to be introduced this province immediately. But, Sir, the remembrance of that sweet moment brings saddest thoughts to my mind and I cannot but shudd when I think what the fate of the depressed classes will be under t present constitution of the Council. Sir, the depressed classes ha got 2 nominated and 5 elected members here in this Council. Sir, hc far these 5 or 7 members will be able to safeguard the interests of t depressed classes of Bengal? Sir, just as a handful of landlords ha by legislation succeeded in exploiting millions of *raiyats* of Beng so I think, the so-called leaders of the Hindu community will in t name of the Hindus deprive the depressed classes of their legitima shares.

Sir, the Moslems of Bengal are 56 *per cent.* of the total populati and still they demand majority by statute in the provincial legislatur and why? I think that the Moslems are afraid of the Hindus and they are resolved to safeguard their interest first and if the majori wants safeguards first, what the position of the minority of the mino ties would be?

Sir, the depressed class problem has not yet been settled and o demand for separate electorate with seats with weightage is even no under consideration. Before the final decision of that question, would be a short-sighted policy of the Government to introduce full re ponsible government immediately.

Sir, there are some hon'ble members here who are of opinion th as the Prime Minister has given us assurance, so full responsib government must be introduced here at once. I think they are puttin the cart before the horse. If the supporters of the motion came fo ward with a definite proposal to solve the communal problem first, i that case, I think, we all could join our hands together. I think th if without solving this question responsible government is introduce then there will be internecine war in Bengal.

Sir, it is a strange thing to find that there are some hon'ble men bers here in this Council who deny the claims of the depressed classe nay, they ignore the very existence of the depressed classes in Benga My learned advocate friend Mr. B. C. Chatterjee the other day wa bold enough to say on the very floor of this House that there are n depressed classes or backward classes in Bengal. Sir, legal practition ers may turn black into white and white into black, but the fact remains

Mr. B. C. CHATTERJEE: I did not say "depressed classes"—I said there are uneducated backward classes.

Mr. SARAT CHANDRA BAL: Sir, the existence of the backward or depressed classes has been recognised by the Simon Commission, Calcutta University Commission and the Hindu Relief Society and Society for the Improvement of the Depressed Classes of Bengal. Mr. Chatterjee may deny our existence and Mr. Gandhi may make an unsuccessful effort to win over the Moslems to deprive the depressed classes of their legitimate shares in the administration of the country, but I believe that the British Government will do justice to us.

Sir, in conclusion, I humbly submit that unless and until the depressed class problem is solved here or by the Minority Sub-Committees, I cannot join hands with the supporters of this motion and so I oppose it.

Maulvi SYED JALALUDDIN HASHEMY: I rise to oppose the motion moved by my friend Mr. Jitendralal Bannerjee. I have heard with rapt attention different speakers of this House. Mr. Fazl-ul Huq in the course of his speech said that he is anxious, Mr. Bannerjee is anxious, Mr. Ramsay MacDonald is anxious for introducing full responsible Government in Bengal and other provinces. May I ask them what is the reason that they have not been able to remove their anxiety so long? Probably all the speakers have forgotten one salient point, and that is that there is only one organisation known as the Indian National Congress which is now declared illegal, and I am sure if there is any delay in granting full responsible Government in Bengal, the responsibility lies not with the Government of Bengal, the responsibility lies not with the Government of India, and I would even go far as to say that the responsibility is not with the British public, but the responsibility lies with the Indian National Congress. I understand that the Government is now engaged in killing that organization, and I am sure Babu Jitendralal Bannerjee will find out an Indian Cosgrave or an Indian De Valera to fight out the Indian cause. But I can assure this House that until there is peace with the Congress, there cannot be responsible Government in Bengal or in any other province. The Simon Commission came here and I am sure that the report of the Simon Commission would have been enough for granting a further instalment of self-government in India, but that organisation, the Indian National Congress opposed it, and the result was a Round Table Conference, and our representatives of Bengal went and spoke eloquently on our behalf, but they came back disappointed. (A VOICE: Not disappointed.) I repeat that they came back disappointed after a declaration from the Prime Minister. Mr. Bannerjee has spoken much, and expressed much confidence in Mr. MacDonald, the Prime Minister of England, but if I remember aright, when I met him in the Albert Hall,

he said that the history of British rule in India was a history of broken pledges. Now he has changed his opinion and I do not know what has brought about this change.

11-45 a.m.

I ask Mr. Fazl-ul Huq, our representative at the Round Table Conference, whether there was any necessity for a second Round Table Conference? Perhaps he will say yes, because there was no Congress representation at the first Round Table Conference. However, at the second Round Table Conference, the Congress participated and a discussion arose on the question of granting provincial autonomy That question was discussed threadbare. Sir, may I ask whether it is within our jurisdiction, whether we are competent to discuss the question of provincial autonomy here even in Bengal? That question was discussed threadbare at the second Round Table Conference and it has been followed by the Lothian Committee and others. May I ask Mr. J. L. Bannerjee who wants provincial autonomy, provincial responsible government, whether it is with joint electorate or separate electorate? He has not spoken one word about the electorate or about the franchise nor whether it should be lowered or expanded. Sir, I do not want full provincial autonomy without the Fort William and I do not care to accept any provincial responsibility *minus* the Fort William of Bengal in Calcutta. Our representative Mr. Fazl-ul Huq of the Round Table Conference attempted probably for the last time to send another cablegram to the Prime Minister. My information is this——

Mr. A. K. FAZL-UL HUQ: I never sent any cablegram to anybody.

Maulvi SYED JALALUDDIN HASHEMY: My information is this and I have heard it from responsible quarters that he has asked for 46 *per cent.* of the seats of the Bengal Legislature with separate electorate.

Mr. A. K. FAZL-UL HUQ: That account is not correct and has no meaning.

Maulvi SYED JALALUDDIN HASHEMY: Mr. Fazl-ul Huq has given his explanation. May I ask him once more whether only the other day he with some of his colleagues, with Sir Muhammad Yakub as President, was not going to reorganise the Bengal Presidency Moslem League? May I ask him what was the result of that conference which was held in his house? I have got information that had they been able to reorganise the Moslems, they could have done something in the name of the Mussalmans of Bengal. I can assure you——

Mr. A. K. FAZL-UL HUQ: Is that relevant, Sir, as to what was being done at that conference?

Maulvi SYED JALALUDDIN HASHEMY: Sir, if a gentleman is allowed to discuss Corporation matters in connection with this motion, if a gentleman is allowed to discuss the terrorist movement in this connection——

Mr. PRESIDENT: Please come back to your point.

Maulvi SYED JALALUDDIN HASHEMY: Sir, in this House, the representatives of the various groups have spoken. As for myself, I stand here on behalf of the Indian National Congress, and I say as long as there is no peace with the Congress, as long as there are the Ordinances, as long as there is the Bengal Criminal Law Amendment Act, I am perfectly sure there will be no peace, there will be no responsible government, there will be no provincial autonomy. But, Sir, when the British politicians and British statesmen, though they are now bankrupt in their statesmanship, do realise the great importance of the Indian National Congress, I cannot understand why Mr. J. L. Bannerjee, once a great advocate of the Indian National Congress, may stoop so low as to be satisfied with provincial responsible Government without any responsibility at the centre. What is his idea I do not understand. Supposing, Sir, provincial autonomy is given, provincial autonomy in the sense in which my friend Mr. B. C. Chatterjee would have more portfolios transferred——

Babu JITENDRALAL BANNERJEE: That is not responsibility.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I know what is responsibility. I have learnt many lessons from Mr. J. L. Bannerjee and I hope to learn many more. But will he tell me how from becoming a member of the Indian National Congress how a man in his position——

Babu JITENDRALAL BANNERJEE: I have given you lessons, but you have not profitted by them.

Maulvi SYED JALALUDDIN HASHEMY: How a professor in the Vidyasagar College——

Babu JITENDRALAL BANNERJEE: Sir, may I rise on a point of order? What has Vidyasagar College to do with this?

Mr. PRESIDENT: You cannot complain when you have yourself set the stage.

Maulvi SYED JALALUDDIN HASHEMY: One word more and I have finished. Sir, there is a move in Bengal, I do not know from which side, to have some responsibility introduced in the provincial administration. Sir, can we contemplate any responsible government *minus* Mr. Subhas Chandra Bose and Mr. J. M. Sen Gupta? I am perfectly sure if they would sign for responsible government in the province to-day, their signature will be accepted by the people as well by the Government. But who else can speak for the country?

Mr. A. K. FAZL-UL HUQ: Their greatest man spoke in London and nobody listened to him.

Maulvi SYED JALALUDDIN HASHEMY: Unless the Indian National Congress accepts this autonomy (Interruptions).

Mr. PRESIDENT: Order, order. I cannot allow all this wordy warfare.

Maulvi SYED JALALUDDIN HASHEMY: Sir, so many responsible people are now in jail, so many ladies are now in jail and so many cases of breaking of heads that in this atmosphere of political life it is absurd to talk about responsibility—responsibility to whom—to irresponsible and tyranical Government? Sir, is it worth while for men of our position in Bengal to talk of provincial autonomy unless these grievances are first removed?

With these words, Sir, I oppose the motions.

The Hon'ble Mr. W. D. R. PRENTICE: I think the Council must be thankful to the gentlemen who brought forward these motions for the interesting debate we have listened to. I would like to add my contribution to the tribute of admiration expressed by previous speakers in the House to Mr. Rahman for his speech. Now that he has made his mark in debate in this Council, I hope we shall hear him again. We are accustomed to Mr. J. L. Bannerjee's oratory, but I am glad to find that there is another speaker in the Council who has also such powers of oratory. To come to the motions, I can assure you, Sir, that Government fully sympathise with the object that these gentlemen have in view—that the people of Bengal should, as soon as possible, be enabled to conduct their own affairs, and that their representatives in Council should have an opportunity of doing all in their power to make Bengal richer, happier and healthier. From the point of view of Government also, I can assure you that we entirely sympathise with your aspirations. No one will be more pleased than Government officers if agitation

ceases, and they can get on with their normal duties in the various districts and other offices of which they are in charge. I think Mr. Bannerjee was rather unfair to the officers of the Indian Civil Service when he said that they have lost all initiative and are simply satisfied to draw their monthly pay and carry on. One of the bitterest complaints of the late Mr. Peddie against the civil disobedience movement was that he had to spend all his time in dealing with the movement and he considered this a pure loss to him so far as his main interests were concerned. It made it difficult for him to carry on with his various schemes for improving the condition of the people of Midnapore in the same way as he had done in Malda. That, I believe, is the view of the majority of our officers. We shall only be too glad along with the people of the country to have done with agitation and be able to get on with our normal work.

Sir, we are, as I have said, entirely in sympathy with the object of these two motions. But whether we liked Mr. Suhrawardy's speech or not, it did at once bring out the fact of the practical difficulties in the way of carrying out the policy which these motions ask the Council to support, and the subsequent speeches that have been made, make us all realise, however much we may desire that end upon which we are all agreed, that there are tremendous disagreements as to the methods to be adopted to reach it. I am afraid the balance of the speeches in this Council shows that the policy recommended by these two motions does not find favour with the large majority of the members. I think that most of the sections of the House realise that, however attractive the object in view may be, the path towards that object is a very thorny one and cannot be traversed light-heartedly. On this occasion, it is not for me to discuss the merits of the motions themselves, because I speak as the representative of the Government of Bengal which is subordinate to the Government of India and His Majesty's Government at home, and is bound by that Government's policy. The policy which has been adopted by His Majesty's Government, has been declared by the Prime Minister with the full assent of his Government in the statement which he made at the conclusion of the second session of the

12 noon.

Round Table Conference. Perhaps it may be interesting to the Council if I read some of the paragraphs of the statement made by him at the conclusion of the second session of the Round Table Conference on December 1st, 1931. The Prime Minister said: "But I have digressed from the question of a programme in the light of the accepted factors—Federation as the aim, and self-governing provinces and the Indian States as its basis. As I have said, our discussions have made it clear to all of us that Federation cannot be achieved in a month or two. There is a mass of difficult constructive work still to be done, and there

are important agreements to be sought by which the structure must be shaped and cemented. It is equally plain that the framing of a scheme of responsible government for the provinces would be a simpler task which could be more speedily accomplished. The adjustments and modifications of the powers now exercised by the central Government which would obviously have to be made in order to give real self-government to the provinces, should raise no insuperable difficulties. It has, therefore, been pressed upon the Government that the surest and speediest route to Federation would be to get these measures in train forthwith, and not to delay the assumption of full responsibility by the provinces a day longer than is necessary. But it is clear that a partial advance does not commend itself to you. You have indicated your desire that no change should be made in the constitution which is not effected by one all-embracing Statute covering the whole field, and His Majesty's Government have no intention of urging a responsibility which, for whatever reasons, is considered at the moment premature or ill-advised. It may be that opinion and circumstances will change and it is not necessary here and now to take any irrevocable decision. We intend, and have always intended, to press on with all possible dispatch with the federal plan." It is clear from this that what is recommended by these two motions has been considered but has not been accepted by His Majesty's Government. It is not possible, therefore, for the Government of Bengal to accept motions which make recommendations contrary to the declared policy of His Majesty's Government. As you all know, everything possible is being done to hurry on the various arrangements that are necessary to carry out the declared policy of His Majesty's Government. The Consultative Committee has been in session in Delhi; we had recently the Franchise Committee wandering round Bengal and we know that the Finance Committee is also sitting in Delhi, while there is the third committee which is dealing with matters concerning the States. I was glad to hear Mr. Jitendralal Bannerjee declare his faith in the honesty of intention of the British Government and I think the action that has already been taken makes it perfectly plain that His Majesty's Government is doing everything in its power to expedite as far as possible the completion of the programme which they have declared in public. It is very undesirable that the Bengal Council should place its reliance on a short cut which apparently His Majesty's Government has not been able to accept and which did not meet with the approval of the majority of the members of the Round Table Conference.

For this reason, *viz.*, on the ground of principle, Government must oppose the motion. But of course there is the other point, *viz.*, the Bengal Government must oppose the motion because they do not wish their budget cut on a matter over which they have no control. I would suggest to the movers of these motions that they should withdraw them. But as the discussion has been of the utmost interest to us and will no

doubt be interesting to the Government of India and to His Majesty's Government, I promise to forward copies of the discussion to them for information and for such action as they may consider desirable. If the motions are not withdrawn, Government will have no option but to oppose them.

Mr. A. F. RAHMAN: I beg leave to withdraw my motion.

Babu JITENDRALAL BANNERJEE: I also ask for leave to withdraw my motion.

The following motions were then, by leave of the Council, withdrawn.

"That the demand for Rs. 13,000 under the head '22D—Executive Council' be reduced by Rs. 101 (to raise a discussion on the desirability of steps being taken for the immediate introduction of full responsible government in the province)."

"That the demand of Rs. 13,000 under the head '22D—Executive Council' be reduced by Rs. 101 (to raise the constitutional issue about the necessity for the immediate grant of full responsible government to the province)."

Mr. B. C. CHATTERJEE: In the first place, I apologise to the House for the condition in which my voice is to-day. (The member had a bad throat.) I would remind the House of the fact, Sir, that with your permission I have changed the wording of my motion and it stands as follows:—

"That the demand of Rs. 13,000 under the head '22D—Executive Council' be reduced by Rs. 101 (to discuss the question of administration of the Police Department by transfer of all the portfolios except one to responsible Ministers)."

I submit that my motion avoids all the objections which have unfortunately been made against the motion of my predecessor. In the first place, if you have the transfer of all the portfolios except one, like Forests for example, then practically it gives what Mr. Rahman wants to get. We can leave Forests under His Excellency the Governor and we can transfer all the other portfolios from the Members of the Executive Council to Ministers. And we can do this under the present constitution; it really gives what Mr. Rahman and Mr. Bannerjee want to get for Bengal. Therefore I am entitled to get their support.

In the second place, as the Hon'ble Members have heard no doubt previously, Sir Tej Bahadur Sapru and others did object to the grant of provincial autonomy without responsibility at the centre. But he has expressly written to my friend Mr. S. M. Bose to say (I have that letter in my possession) that he and those of his opinion do not, however, object to the transfer of as many portfolios as may be possible

under the present Government of India Act. So, the opposition of my friends to my right and to my left to the grant of provincial autonomy in the form that Mr. Rahman has demanded is met, because the principal exponents of that opposition, namely, Sir Tej Bahadur Sapru and his colleagues, have expressly declared that they do not object to the transfer of the portfolios, if that be done under the present Act. As you, gentlemen, are aware, the present Lord Chief Justice of England and another distinguished English lawyer were asked to give their opinion as to whether the portfolios could be transferred under the present Government of India Act, and they gave the opinion that all the portfolios except one could be transferred. So there is no legal difficulty in the matter, and there is no difficulty from the point of view from which you have opposed Mr. Rahman's motion, and there will not be any difficulty from Mr. Rahman's point of view, too, because it will secure all that he wants to secure for his province. On the top of all this, what I would earnestly plead for your consideration is that we, Bengalis, should not be asked to take up the responsibility of provincial autonomy all at once in the year 1934 or 1935 whenever it might be granted to us. Before we can work full-blooded provincial autonomy successfully in 1934 or 1935, we ought to have some intermediate experience, some kind of intermediate exercise, in responsibility. Take the most important portfolio, the portfolio of Law and Order. Before the next Government of India Act is ushered in we, the Hindus and Mussalmans of Bengal, ought to come to a workable understanding as to how that portfolio shall be worked, and that understanding can only be come to when we are invested with the responsibility of working that portfolio. I would ask the Englishmen also to look at it from this point of view: They may think that we, the Bengalis, will make a mess of it when we get this portfolio. Let us, then, I say, make a mess of it as quickly as possible; but do not wait till 1934 or 1935; give us a chance to-day of showing whether we are going to make a mess of it or whether we are going to work it successfully. If the Bengali Hindus and Mussalmans prove their inability to handle the police portfolio in the meantime, then it is quite clear that the reforms which will be granted will have to be on entirely different lines from those at present contemplated. On the other hand, if we make a success of it, of course our claim to the grant of provincial autonomy will be more strong. From either point of view, I would commend my proposal to your acceptance: it is in the interest of the present reforms, and the reforms that are coming. It is only fair that we should all agree that Bengalis should be given a chance here and now of either proving our capacity or incapacity for managing the portfolio which is at present in charge of the Hon'ble Mr. Prentice. Since you are going to give it to us in 1934, why not give it to us now? Otherwise, if you give it to us in 1934, and then we make a mess, just think of the bigger mess into which you will involve not only Bengal and India, but also England.

At the present moment, if you transfer it to us, we will gain valuable experience, in the light of which you will be able to come to a decision as to what the next instalment of reforms should be. I am not one of those who say we cannot make a mess of it; we may make a mess of it; in fact, there is a distinct chance of our making a mess of it. If we really make a mess of it, it should be now, and not after the grant of provincial autonomy, for that will lead to a very much greater disaster. On the other hand, it is as well that we should get it now, as we shall know then that if we do it well, Bengal will get well under weigh towards the goal of an all-India Federation.

12-15 p.m.

There can be no objection really on the part of Englishmen or on the part of the Members of Government or on the part of our countrymen to the measure which I have suggested, because from every point of view it seems to commend itself. Some British people here take fright at the very idea that a Bengali is going to have the Police portfolio. They should get over that fear and that mentality; that mentality is inconsistent with the declared pledges of the British Parliament. Those who are willing to give us a chance should come forward and support the motion. As a matter of fact, the question of Hindu-Moslem unity which is the basic question on which the whole problem of self-government hinges,—that question will only take practical shape when Hindus and Muhammadans will become political realists, instead of continuing in their present state of being not more than theorists. When that time comes, then Mr. Fazl-ul Huq, Mr. Suhrawardy, Mr. Bose and Mr. Narendra Kumar Basu will have to sit together instead of quarrelling with each other as now. They will then have to sit together to ask this question—whether they are going to make responsible government in Bengal a success or not. And I have no doubt that better sense will prevail and they will make a success of it.

I am sure when that responsibility is given, they will make it a success. Do not leave the next instalment of reforms to chance. See whether Bengal succeeds or not and thereby make sure that she will be able to work the reforms that are going to be given her.

I am not going to take up further time of the Council. I would ask the whole House to support this motion.

Mr. SHANTI SHEKHARESWAR RAY: I strongly support the suggestion of my friend Mr. Chatterjee. It is a bold experiment, and I think it is an experiment worth trying. I think that a further step towards responsible government should be taken by reason of Bengal's sacrifice in the cause of the motherland. Apart from the sacrifice of thousands of our young men in this province, I think Bengal is capable

of producing able administrators who can be trusted with the charge of maintaining law and order of this province. I further submit that this is a motion which certainly comes within our competence. If we decide and the Government agrees with us that the situation is ripe for another step towards responsible government, I think the higher authorities—the British Government—will certainly act on the suggestion, and let us proceed with the work of ameliorating the condition of the province with the help of all parties.

Mr. H. S. SUHRAWARDY: With looks of a venomous reptile as I am, I——

Mr. PRESIDENT: May I impose a limitation? You should not refer to these things which occurred on a previous day and have nothing to do with the matter now under consideration.

Mr. H. S. SUHRAWARDY: I wonder, Sir,——

Mr. PRESIDENT: I will not allow you to proceed in the way you are doing.

Mr. H. S. SUHRAWARDY: I will just expatiate on my loathsomeness——

Mr. PRESIDENT: Provided you can do so consistently with the subject under discussion.

[Here the time-limit for the discussion of the demand under the head "22—General Administration" was reached.]

Mr. PRESIDENT: I am very sorry, you cannot proceed further.

Mr. H. S. SUHRAWARDY: I shall have opportunities afterwards.

The motion of Mr. B. C. Chatterjee was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Banerji, Rai Bahadur Keshab Chandra.
Bannerjee, Babu Jitendralal.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chatterjee, Mr. B. C.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Khan Bahadur Maulvi Ali-uzzamma.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Dutt, Rai Bahadur Dr. Haridhan.
Ghose, Dr. Amulya Ratan.
Goenka, Rai Bahadur Badridas.
Guha, Babu Prafulla Kumar.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.

Kasem, Maulvi Abul.
Maiti, Mr. R.
Mittra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mookerjee, Mr. Syamaprasad.
Nag, Babu Suk Lal.
Poddar, Mr. Ananda Mohan.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F.
Naj Mahasai, Munindra Deb.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hoseni.
Ray, Babu Satyendra Nath.
Roy, Mr. Sarat Kumar.
Roy Choudhuri, Babu Hem Chandra.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Sulaiman, Maulvi Muhammad.

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bai, Mr. Sarat Chandra.
Bartley, Mr. C.
Basir Uddin, Khan Sahib Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Rural, Babu Gokul Chand.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Eusufji, Maulvi Nur Rahman Khan.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Gangali, Rai Bahadur Susil Kumar.
Ghose, Rai Bahadur Saseeba Comar.
Ghose, the Hon'ble Sir B. B.
Ghuznevi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-uz-Zaman.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Bazaur Rahman.
Lesson, Mr. G. W.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mullick, Mr. Mukunda Behary.
Nag, Reverend B. A.
Nandy, Maharaja Srie Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philpot, Mr. N. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.
Rees, Mr. J.
Roy, Mr. Saileswar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Saadatullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rebati Mohan.
Sen, Mr. R. R.
Suhrawardy, Mr. H. S.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. N. R.
Wordsworth, Mr. W. C.
Worthington, Mr. S. H.

The Ayes being 43 and the Noes 61, the motion was lost.

The motion that a sum of Rs. 95,38,000 be granted for expenditure under the head "22—General Administration" was then put and agreed to.

The following motions under the head "22—General Administration" were not called owing to the expiry of the time-limit:—

Babu JITENDRALAL BANNERJEE, Mr. A. F. M. ABDUR RAHMAN, Kazi EMDADUL HOQUE, Maulvi SYED JALALUDDIN HASHEMY, Maulvi HASSAN ALI and Maulvi SYED MAJID BAKSH: "That the demand of Rs. 13,000 under the head '22D—Executive Council' be reduced by Rs. 100 (to raise a discussion on the

policy of Government regarding the inequitable cut in salary of Government servants before exhausting other reasonable sources of savings by appointing a Retrenchment Committee in Bengal and gathering evidences from ministerial officers of departments)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 13,000 under the head '22D—Executive Council' be reduced by Rs. 100 (picketing ordinance with special reference to the failure of the Government to protest against the Ordinance)."

Mr. P. BANERJI: "That the demand of Rs. 13,000 under the head '22D—Executive Council' be reduced by Re. 1 (to raise a discussion about the action of the Government in filling up the office of Executive Councillor with temporary incumbents)."

Babu JATINDRA NATH BASU: "That the demand of Rs. 13,000 under the head '22D—Executive Council' be reduced by Re. 1 (to discuss the methods adopted by Government to deal with the present political situation)."

Mr. P. BANERJI: "That the demand of Rs. 1,72,800 under the head '22E—Ministers' be reduced by Rs. 1,36,800."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 1,72,800 under the head '22E—Ministers—Pay of Ministers' be reduced by Rs. 82,800."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,72,800 under the head '22E—Ministers—Pay of Ministers' be reduced by Rs. 43,200."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,72,800 under the head '22E—Ministers—Pay of Ministers' be reduced by Rs. 1,000 (to discuss about the number of Ministers and for co-ordination of work in the transferred departments)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,72,800 under the head '22E—Ministers—Pay of Ministers' be reduced by Rs. 100 (to raise a discussion on the desirability of the appointment of a fourth Minister from the depressed class)."

Mr. P. BANERJI: "That the demand of Rs. 1,72,800 under the head '22E—Ministers' be reduced by Re. 1 (to disapprove the policy of the Minister of Education with special reference to action against certain schools in Chittagong)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 500 under the head '22E—Ministers—Hill Allowances' be refused."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,96,000 under the head '22E—Ministers' be refused."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 1,96,000 under the head '22E—Ministers' be reduced by Rs. 1,24,000 (by reducing the number of Ministers to two each on a salary of Rs. 3,000)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,96,000 under the head '22E—Ministers' be reduced by Rs. 1,24,000."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 1,96,000 under the head '22E—Ministers' be reduced by Rs. 65,333."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,96,000 under the head '22E—Ministers' be reduced by Rs. 1,000 (to raise a discussion about retaining the Ministers under the present economic condition)."

Mr. J. N. GUPTA: "That the demand of Rs. 1,96,000 under the head '22E—Ministers' be reduced by Re. 1 (to raise a discussion on the necessity of reducing the number of Ministers and the scale of the pay of the Ministers)."

Maulvi ABDUS SAMAD: "That the demand of Rs. 1,96,000 under the head '22E—Ministers' be reduced by Re. 1 (to criticise the policy of the Ministers in the matter of recruitment of their gazetted and non-gazetted officers)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 55,000 under the head '22F—Legislative Council—Travelling Allowance' be refused."

Mr. NARENDRA KUMAR BASU and Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 1,500 under the head '22F—Legislative Council—Hill Allowances' be refused."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 1,500 under the head '22F—Legislative Council—Hill Allowances' be reduced by Re. 1 (to urge the abandonment of hill exodus for one year in view of the serious financial crisis of Government)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,86,000 under the head '22F—Legislative Council' be reduced by Rs. 48,000."

Maulvi HASSAN ALI, Maulvi SYED JALALUDDIN HASHEMY, Babu JITENDRALAL BANNERJEE, Mr. A. F. RAHMAN, Maulvi SYED MAJID BAKSH, Kazi EMDADUL HOQUE, Mr. S. M. BOSE, MUNINDRA DEB RAI MAHASAI, Babu SATISH CHANDRA RAY CHOWDHURY and Mr. A. F. M. ABDUR RAHMAN: "That the demand of Rs. 1,86,000 under the head '22F—Legislative Council' be reduced by Rs. 1,000 (to raise a discussion about the unnecessary delay in separating the Legislative Council from the Legislative Department)."

Babu JITENDRALAL BANNERJEE, MUNINDRA DEB RAI MAHASAI, Kazi EMDADUL HOQUE and Mr. A. F. M. ABDUR RAHMAN: "That the demand of Rs. 1,86,000 under the head '22F—Legislative Council' be reduced by Rs. 100 (to criticise the policy of Government with reference to the prospects of the assistants of the Legislative Department, having a special bearing on the creation of an additional lower selection grade post in the Legislative Department)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 1,86,000 under the head '22F—Legislative Council' be reduced by Rs. 100 [to criticise the policy of hill exodus of Government officers of this department (gazetted and ministerial) even in these times of acute economic distress and in view of the depleted finances of the Government]."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,86,000 under the head '22F—Legislative Council' be reduced by Re. 1 (non-provision of facilities to Muhammadan visitors to Council to say their prayers)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,86,000 under the head '22F—Legislative Council' be reduced by Re. 1 (translation of the Bengal Legislative Council Manual with rules and standing orders into Bengali)."

Babu SATYENDRA NATH ROY and Babu HEM CHANDRA ROY CHOUDHURI: "That the demand of Rs. 1,86,000 under the head '22F—Legislative Council' be reduced by Re. 1 (to urge upon the Government the necessity of amending the Act fixing the salary of Deputy President by making the office an honorary one)."

Mr. SHANTI SHEKHARESWAR RAY: "That the demand of Rs. 8,000 under the head '22F—Legislative Bodies—Elections for Indian and Provincial Legislature' be reduced by Rs. 101 (to raise a discussion about the ensuing general election on the expiration of the duration of the Bengal Legislative Council with particular reference to the preparation of electoral rolls)."

Maulvi ABUL KASEM: "That the demand of Rs. 8,000 under the head '22—General Administration—B—Legislative Bodies—Elections for Indian and Provincial Legislature' be reduced by Rs. 100 (to draw attention to the fact that no provision has been made for the general election of the Legislative Council)."

Mr. S. M. BOSE, Mr. B. C. CHATTERJEE, Mr. NARENDRA KUMAR BASU, Mr. SYAMAPROSAD MOOKERJEE, Dr. NARESH CHANDRA SEN GUPTA, Maulvi HASSAN ALI, Babu JATINDRA NATH BASU, Mr. SHANTI SHEKHARESWAR RAY, Haji BADI AHMED CHOWDHURY, Maulvi SYED JALALUDDIN HASHEMY and Maulvi SYED MAJID BAKSH: "That the demand of Rs. 9,200 under the head '22G—Civil Secretariat—Reserved—Judicial, Political and Appointment Departments—Officers on Special duty' be reduced by Rs. 101 (as protest against policy followed by Press Officer and to suggest abolition of the post immediately)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 2,93,000 under the head '22G—Civil Secretariat—Judicial, Political and Appointment Departments' be reduced by Rs. 1,000 (to discuss the order of restraint under the Emergency Powers Ordinance served upon two members of the Council)."

MUNINDRA DEB RAI MAHASAI, Maulvi MUHAMMAD FAZLULLAH, Maulvi ABDUL HAKIM, Maulvi NUR RAHMAN KHAN EUSUFJI, Maulvi ABDUL HAMID SHAH, and Maulvi TAMIZUDDIN KHAN: That the demand of Rs. 2,93,000 under the head '22C—Civil Secretariat—Judicial, Political and Appointment Departments' be reduced by Rs. 1,000 (to amend the Usurious Loans Act, ruinous oppression of usury, fixing of maximum rate of interest)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 2,93,000 under the head '22G—Civil Secretariat—Judicial, Political and Appointment Departments' be reduced by Rs. 1,000 (to discuss the policy of granting passports to students and others)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 2,93,000 under the head '22—General Administration—22G—Civil Secretariat—Judicial, Political and Appointment Departments' be reduced by Re. 1 (in view of the present economic distress and financial embarrassment to urge upon the Government the necessity of taking immediate steps for extending the period of limitation up to six years in all ordinary money suits, Small Cause Court suits and rent suits and also in the matter of execution of all decrees under the aforesaid suits)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 99,000 under the head '22G—Civil Secretariat—Revenue Department' be reduced by Rs. 100 (insufficiency of Government measures to cope with the situation arising out of the destruction of crops by flood in the Tangail subdivision)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 99,000 under the head '22G—Civil Secretariat—Revenue Department' be reduced by Re. 1 (translation into Bengali of the Bengal Tenancy Act)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 2,80,000 under the head '22G—Civil Secretariat—Finance, Commerce and Marine Departments' be reduced by Rs. 1,000 (to criticise the policy of Government in declaring only one day as Muharram holiday in the place of two days)."

Kazi EMDADUL HOQUE and Maulvi ABDUL HAKIM: "That the demand of Rs. 2,80,000 under the head '22G—Civil Secretariat—Finance, Commerce and Marine Departments' be reduced by Rs. 100 (to raise a discussion on the present policy of Government in not allowing the typists of the Bengal Secretariat to be promoted or recruited to the posts of lower division assistants of the Secretariat)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 2,80,000 under the head '22G—Civil Secretariat—Finance, Commerce and Marine Departments' be reduced by Rs. 5 (to draw attention of Government to the fact that there is a competition between Bengal Steam Navigation Company and British India Steam Navigation Company in Chittagong and to fix the rate of fares)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 2,80,000 under the head '22G—Civil Secretariat—Finance, Commerce and Marine Departments' be reduced by Re. 1 (to draw attention to the necessity for allowing 3rd and Inter Class female passengers to enter railway station by the passages intended for the 1st and 2nd class passengers or to make separate provisions)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 2,80,000 under the head '22G—Civil Secretariat—Finance, Commerce and Marine Departments' be reduced by Re. 1 (to raise a discussion about the typists and lower division assistants in the Secretariat)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 2,80,000 under the head '22G—Civil Secretariat—Finance, Commerce and Marine Departments' be reduced by Re. 1 (to draw attention to the inconvenience suffered by passengers owing to the defective arrangements of the Mymensingh railway station in the matter of female waiting rooms, want of platforms on Assam-Bengal Railway sections and other matters)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 2,80,000 under the head '22G—Civil Secretariat—Reserved—Finance, Commerce and Marine Departments' be reduced by Re. 1 (to (draw attention to the inconvenience of passengers, specially 2nd class passengers, in steamers belonging to River Steam Navigation & Co. and India General Steam Navigation & Co.)."

Haji BADI AHMED CHOWDHURY, Maulvi HASSAN ALI, Maulvi SYED MAJID BAKSH, Maulvi SYED JALALUDDIN HASHEMY, Dr. NARESH CHANDRA SEN GUPTA and Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 2,80,000 under the head '22H—Civil Secretariat—Finance, Commerce and Marine Departments' be reduced by Re. 1 (to draw attention to the fact that the printing works of the Port Trust are given on contract to the private firms)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 2,80,000 under the head '22G—Civil Secretariat—Finance, Commerce and Marine Departments' be reduced by Re. 1 (failure of Government to frame rules as contemplated in section 54B of the Indian Steam Vessels Act and the appointment of an Advisory Committee as therein provided for)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 17,000 under the head '22G—Civil Secretariat (Reserved)—Travelling Allowance' be refused."

Mr. NARENDRA KUMAR BASU and Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 14,000 under the head '22G—Civil Secretariat (Reserved)—Hill Allowances' be refused."

Mr. NARENDRA KUMAR BASU and Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 5,000 under the head '22G—Civil Secretariat—Contingencies—Hill Journey Charges' be refused."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 49,000 under the head '22G——Civil Secretariat—Book Depot—Establishment' be reduced by Re. 1 (to draw attention to the negligence of work in this department)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 6,52,973 under the head '22G—Civil Secretariat (Reserved)—Pay of Establishment' be reduced by Rs. 100 (to draw attention to the fact that there is not a single Muslim stenographer in the Bengal Secretariat)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 8,37,000 under the head '22G—Civil Secretariat—Reserved' be reduced by Rs. 2,00,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 8,37,000 under the head '22G—Civil Secretariat and headquarters establishment' be reduced by Rs. 1,000 (none but Bengalees and those domiciled in Bengal should in future be recruited in filling appointments)."

Babu JITENDRALAL BANNERJEE, MUNINDRA DEB RAI MAHASAI, Maulvi SYED JALALUDDIN HASHEMY, Maulvi HASSAN ALI and KAZI EMDADUL HOQUE: "That the demand of Rs. 8,37,000 under the head '22G—Civil Secretariat—Reserved' be reduced by Rs. 101 (to raise a discussion on the policy of Government in connection with retrenchment, having a bearing on the revision of the cadres of the ministerial officers of the Bengal Secretariat and other relevant matters connected with the reduction of salary of the Government servants of the Secretary, particularly the lower division assistants)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 8,37,000 under the head '22G—Civil Secretariat' be reduced by Rs. 100 (to draw attention to the unsympathetic attitude of the Government to the urgent demand of the Muslim community to be provided with some plots of Government land where no private land is available for the construction of mosques for the performance of compulsory prayers while attending courts and offices)."

Babu AMULYADHAN RAY: "That the demand of Rs. 8,37,000 under the head '22G—Civil Secretariat—Reserved' be reduced by Rs. 100 (want of representation of the backward classes in the ministerial staff of the Secretariat and for an immediate provision for the same)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 8,37,000 under the head '22G—Civil Secretariat—Reserved' be reduced by Rs. 10 (to raise the question of general retrenchment of administrative expenditure specially in the Reserved Department)."

Babu JATINDRA NATH BASU: "That the demand of Rs. 8,37,000 under the head '22G—Civil Secretariat—Reserved' be reduced by Re. 1 (to discuss the question of stoppage of recruitment in all-India Services)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 8,37,000 under the head '22G—Civil Secretariat and headquarters establishment—Pay of Establishment' be reduced by Re. 1 (to draw the attention of the Government to the fact that there is not a single member of the backward classes in the whole ministerial staff of the Secretariat and suggest that an immediate provision be made in this direction)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 59,000 under the head '22H—Civil Secretariat (Transferred)—Education Department' be reduced by Rs. 101 (want of provision for public libraries)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 79,000 under the head '22H—Civil Secretariat—Local Self-Government Department' be refused."

Mr. R. MAITI: "That the demand of Rs. 79,000 under the head '22H—Civil Secretariat—Local Self-Government Department' be reduced by Rs. 1,000 (to draw attention to the public discontent for withdrawal of the right of election of the Chairman from the Midnapore District Board)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 79,000 under the head '22H—Civil Secretariat (Transferred)—Local Self-Government Department' be reduced by Rs. 101 (vagaries of the executives of the Balisahar Municipality and the removal of President, Uluberia Union Board)."

Mr. K. C. RAY CHAUDHURI, Maulvi HASSAN ALI, Haji BADI AHMED CHOWDHURY, Maulvi SYED JALALUDDIN HASHEMY, Maulvi SYED MAJID BAKSH and Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 79,000 under the head '22H—Civil Secretariat—Transferred—Local Self-Government Department' be reduced by Re. 1 (to draw attention to the fact that the printing works of Calcutta Improvement Trust are given on contract to private firms)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 79,000 under the head '22H—Civil Secretariat—Local Self-Government Department' be reduced by Re. 1 (translation into Bengali of the Bengal Local Self-Government Act and Bengal Municipal Act)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 62,000 under the head '22H—Civil Secretariat—Agricultural and Industries Department' be refused."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 62,000 under the head '22H—Civil Secretariat—Agricultural and Industries Department' be reduced by Rs. 32,000."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 62,000 under the head '22H—Civil Secretariat—Transferred—Agriculture and Industries Department' be reduced by Re. 1 (to draw attention to the immediate necessity of tackling the unemployment question)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 62,000 under the head '22H—Civil Secretariat—Agriculture and Industries Department' be reduced by Re. 1 (to discuss the present policy of the Government with special reference to the prevailing unemployment problem)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 3,000 under the head '22H—Civil Secretariat (Transferred)—Travelling Allowance' be refused."

Rai KESHAB CHANDRA BANERJI Bahadur and Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 4,000 under the head '22H—Civil Secretariat (Transferred)—Hill Allowance' be refused."

Mr. NARENDRA KUMAR BASU and Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 3,000 under the head '22H—Civil Secretariat (Transferred)—Contingencies—Hill Journey Charges' be refused."

Babu AMULYADHAN RAY: "That the demand of Rs. 2,40,000 under the head '22H—Civil Secretariat (Transferred)' be reduced by Rs. 100 (want of any provision for the recruitment of the qualified candidates belonging to the backward classes in the ministerial staff and for an immediate provision in that direction)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 1,000 under the head '22-I—Board of Revenue—Hill Allowances' be refused."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 800 under the head '22-I—Board of Revenue—Contingencies—Hill Journey Charges' be refused."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 54,125 under the head '22-I—Board of Revenue' be reduced by Re. 1 [to consider the necessity of reducing 40 *per cent.* revenue in the temporary estate (Nowabad) till the price of the paddy and jute reaches their former rate]."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 16,000 under the head '22-I—Board of Revenue—Management of Private Estates' be reduced by Rs. 100 (to draw attention to the unsympathetic attitude of the Manager of the Murshidabad Nawab Estate towards the claims of Muslims for appointment under the estate)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 16,000 under the head '22-I—Board of Revenue—Establishment for management of Private Estates' be reduced by Rs. 100 (to draw attention to the harsh and drastic steps taken for the realisation of rents causing great distress to the tenants in these days of extreme financial stringency)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 16,000 under the head '22-I—Board of Revenue—Establishment for management of Private Estates' be reduced by Re. 1 (wakf estate of Ershadali Chowdhury and Abdullah Khan Estate of Chittagong)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 70,000 under the head '22-I—Board of Revenue' be reduced by Rs. 105 (to raise a discussion on the inefficiency of management of the Court of Wards and the inattention of the Board to the claims of the Mussalmans in filling up appointments under the Board)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 70,000 under the head '22-I—Board of Revenue' be reduced by Rs. 100 [to draw attention to the fact (*1*) that *khas mahal* tenants in certain areas (*e.g.*, in the district of Faridpur) have been served with notices of enhancement of rent at this inopportune time, (*2*) that drastic steps are being taken for realisation of rents of Government estates and (*3*) that it is highly expedient to remit the rents of *khas mahal* tenants in certain areas either wholly or partly or at least to hold realisation in abeyance till the economic situation improved]."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 70,000 under the head '22-I—Board of Revenue' be reduced by Re. 1 (to raise a discussion on the expediency of abolishing the Board of Revenue)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 2,31,000 under the head '22J—Local Fund Audit Establishment' be reduced by Re. 1 (to draw attention of the Government to the misuse of money in Chittagong Municipality and District Board, Chittagong)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 18,516 under the head '22K—Commissioners—Wards Establishment—Pay of Establishment' be reduced by Rs. 101 (to raise a discussion about the administration of the Court of Wards in general)."

Mr. NARENDRA KUMAR BASU, Babu SATISH CHANDRA RAY CHOWDHURY, Babu SATYENDRA NATH ROY, Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,38,000 under the head '22K—Commissioners' be refused."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 2,38,000 under the head '22K—Commissioners' be reduced by Rs. 1,38,000."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,38,000 under the head '22K—Commissioners' be reduced by Rs. 1,000 (to raise a discussion about this charge)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 2,38,000 under the head '22K—Commissioners' be reduced by Rs. 101 (to discuss the superfluous nature of these appointments and abolition of the same)."

Rai SATYENDRA KUMAR DAS Bahadur: "That the demand of Rs. 2,38,000 under the head '22K—Commissioners' be reduced by Rs. 100 (superfluous nature of these appointments)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 2,38,000 under the head '22K—Commissioners' be reduced by Re. 1 (to draw attention to the expediency of abolishing or reducing commissionarships)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 26,96,000 under the head '22L—District Administration—Pay of Deputy and Sub-Deputy Magistrates' be reduced by Rs. 3,00,000 (by reducing the number of Deputy and Sub-Deputy Collectors in the province)."

Mr. S. M. BOSE: "That the demand of Rs. 26,96,000 under the head '22L—General Establishment—Pay of Officers—Deputy and Sub-Deputy Magistrates' be reduced by Rs. 101 (to call attention to the necessity of stopping all recruitments of Deputy and Sub-Deputy Magistrates, and of abolishing circle officers as practically all the union boards have been established)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 26,96,000 under the head '22L—General Establishment—Pay of Deputy and Sub-Deputy Magistrates' be reduced by Rs. 100 (to draw attention to the retrenchment possible and desirable by decreasing if not abolishing the posts of circle officers)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 26,96,000 under the head '22L—General Establishment—Pay of Deputy and Sub-Deputy Magistrates' be reduced by Re. 1 (to draw the attention of the Government to the unnecessary and untimely transfer of Deputy and Sub-Deputy Magistrates from one district to another incurring a heavy expenditure)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 14,13,800 under the head '22L—General Administration—Steam Launch Boat and Elephant Establishment' be reduced by Re. 1 (use of steam launches by officers in the provincial services, specially Subdivisional Officers and Extra Assistant Conservators)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs 3,74,000 under the head '22L—District Administration—General Establishment—Travelling Allowance' be reduced by Rs. 1,00,000."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 9,09,000 under the head '22L—General Administration—Allowances' be reduced by Rs. 52,300."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 7,500 under the head '22L—District Administration—General Establishment—Rewards to Village *Panchayets*' be refused."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 3,62,000 under the head '22L—General Establishment—Landlords' fee—Establishment' be refused."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 3,62,000 under the head '22L—General Establishment—Landlords' fee—Establishment' be reduced by Rs. 1,000 (to point out the difficulties of a co-sharer landlord to withdraw his share of the landlords' fee and to urge the revision of rules in this behalf)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 3,62,000 under the head '22L—General Establishment—Landlords' fee—Establishment' be reduced by Rs. 100 [to disapprove of the policy of the Government in respect of landlords' fee payable under the Bengal Tenancy (Amendment) Act leading to disastrous results, and the exorbitant fees realised for transmission of such fees]."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 3,62,000 under head '22L—General Establishment—Landlords' fee—Establishment' be reduced by Rs. 100 (to discuss the difficulties of withdrawing landlords' fees)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 3,62,000 under the head '22L—General Establishment—Landlords' fee—Establishment' be reduced by Re. 1 (to urge for the revision of the Bengal Tenancy Act especially in respect of provisions of landlords' fee, landlords' right of pre-emption, division of tenancy and distribution of rents, etc.)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 3,62,000 under the head '22L—General Administration—Landlords' fees—Establishment' be reduced by Re. 1 (prompt payment of landlords' fees)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 29,12,000 under the head '22I.—District Administration—Pay of officers' be reduced by Rs. 500 (accepting presents by the District Officers from Presidents of Union Boards)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 29,12,000 under the head '22I.—General Establishment—Pay of officers' be reduced by Rs. 500 (to discuss the desirability of dining at the houses of the Presidents of Union Boards and making propaganda amongst the masses with regard to the fall of the prices of jute and paddy)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 29,12,000 under the head '22I.—District Administration—General Establishment—Pay of officers' be reduced by Re. 1 (to urge upon the Government the necessity of reducing the number of Additional District Magistrates)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 17,63,800 under the head '22I.—District Administration—Pay of Establishment' be reduced by Re. 1 (to draw the attention of the Government to the fact that even after the last circular issued by the Government in the direction, the claims of the candidates of the backward classes for appointment in the ministerial staff have been ignored and to suggest that definite instructions be given to the district authorities for this purpose)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 64,31,000 under the head '22I.—District Administration—General Establishment' be refused."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 64,31,000 under the head '22I.—District Administration' be reduced by Rs. 13,00,000."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 64,31,000 under the head '22I.—District Administration' be reduced by Rs. 3,21,550."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 64,31,000 under the head '22I.—District Administration' be reduced by Rs. 1,000 (to raise a discussion about the propaganda with regard to the present financial crisis)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 64,31,000 under the head '22I—District Administration' be reduced by Rs. 101 (to raise a discussion about the efficiency of District Administration)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 64,31,000 under the head '22I—District Administration' be reduced by Rs. 100 (growth of expenditure and separation of Judicial and Executive functions)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 64,31,000 under the head '22I—District Administration' be reduced by Rs. 100 (to draw attention to bribery and corruption in the collectorates)."

Babu AMULYADHAN RAY: "That the demand of Rs. 64,31,000 under the head '22I—District Administration' be reduced by Rs. 100 [to earmark at least 20 *per cent.* of the appointments in the Bengal Civil Services (Executive) as well as those in the ministerial staff for the candidates of the backward classes as enumerated on page 189, Part I, of the Calcutta University Commission Report]."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 64,31,000 under the head '22I—District Administration' be reduced by Re. 1 (to criticise the policy of Government for not providing waiting room in the criminal court compound for litigant public)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 64,31,000 under the head '22I—District Administration' be reduced by Re. 1 (to discuss further Indianization of services by appointment of members of the Provincial Services to posts hitherto reserved for Imperial officers)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 5,91,000 under the head '22M—Subdivisional Establishment' be reduced by Re. 1 (to draw attention to the fact that the Subdivisional Officer, "B" Division, in Chittagong is holding office outside his jurisdiction)."

Maulvi ABUL KASEM: "That the demand of Rs. 34,000 under the head '22N—Other Establishment—Wards Estates Establishment' be reduced by Rs. 100 (to draw attention to the fact that Mussalmans are not appointed in the service in the various Courts of Wards)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 34,000 under the head '22N—Other Establishment—Wards Estates Establishment' be reduced by Rs. 100 (management of Court of Wards and complete Indianisation of the Ward's Department)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 34,000 under the head '22N—Other Establishment—Wards Estates Establishment' be reduced by Rs. 100 (to criticise the policy followed in recruiting Managers of Court of Wards in disregard of the claims of qualified Muslim candidates)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 89,500 under the head '22O—Discretionary grants by heads of provinces, etc.' be reduced by Re. 1 (necessity for a clear-cut programme in using this grant)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Rs. 25,42,000."

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Rs. 15,00,000."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Rs. 100 (to draw attention of the Government to take immediate active measures for ameliorating the general condition of the poor peasantry in Bengal by devising means for removing their ever-growing indebtedness, etc)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Rs. 100 (to discuss the situation of Bengal's financial position and the urgent need for strictest economy)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Rs. 100 [to draw attention to (1) the paucity of Muslim officers and employees in the different departments under the administration of the Members of the Executive Council, (2) the anomalous policy followed in making recruitment, and (3) the necessity of an early revision of the rules of recruitment satisfying the just claims of the community to be represented adequately in the public services of the country in accordance with its importance and numerical strength]."

Maulvi ABUL KASEM: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Rs. 100 (to draw attention to the excessive cost of administration, particularly the extravagance of the top-heavy administration)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Rs. 100 (to draw the pointed attention of Government to the imminent danger of bankruptcy and to recommend the adoption of measures for effecting ruthless retrenchment in the expenditure of Government)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Rs. 100 (top-heavy administration too costly to be borne by the finances of the Presidency and a note of warning to the Government for the impending danger of bankruptcy)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Re. 1 (to urge the necessity of equalising the proportion of Hindu and Moslem employees on the population basis in all the departments of Government to strengthen the basis of unity between the two great communities)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Re. 1 (to press that the special holidays for Muhammadans should be given to all)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Re. 1 (to bring to the notice of Government the necessity of not appointing or retaining Law students in various departments in Calcutta and Dacca)."

Maulvi MUHAMMAD FAZLULLAH and Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Re. 1 (necessity for discontinuing the policy of hill exodus specially in view of the present financial difficulties)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Re. 1 (to express disapproval for not taking prompt measures to cope with the present economic crisis in the province)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Re. 1 (to raise a discussion on the failure of the Executive to take proper and suitable steps and to devise effective means to stop the growth of the revolutionary movement in Bengal and also for providing an exciting cause to that movement by adopting a mistaken policy)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Re. 1 (top-heavy character of the administration)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 95,38,000 under the head '22—General Administration' be reduced by Re. 1 (to urge that at least 25 *per cent.* of the total ministerial services be in future filled up by the qualified candidates belonging to the depressed classes)."

24—Administration of Justice.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 77,37,000 be granted for expenditure under the head "24—Administration of Justice."

Sir, if members of Council will refer to page 59 of the Red Book, they will see that this demand is considerably less than that made in previous years for reasons of economy. I do not think that there is any item that requires any remarks from me and I shall content myself by simply moving the motion.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 67,700 under the head "24A—High Court—Registrar, Appellate Side" be reduced by Re. 1 (to press that the printed paper-book in second appeals should contain plaint and written statement).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, I propose to say that arrangements be made for inserting the plaint and the defendant's statement in the paper-book prepared for a second appeal. The plaint and the statement in the court of a munsif or a sub-judge form the foundation of the suit in a second appeal. But the paper-book prepared for the purpose of a second appeal contains only the judgment of the first court of origin and the judgment in the appeal before the District Judge and the grounds for appeal before the Hon'ble High Court and nothing else. If in writing the judgment the

first court of origin fails to record any important facts contained in the plaint and the defendant's statement, the judges of the Hon'ble High Court will have no opportunity of examining them. The Hon'ble Member-in-charge may say that it is only the points of law and any discrepancy with regard to these that come within the purview of the Hon'ble High Court and in case any mention be made of the facts, said to have been omitted by the lower courts, in the grounds for appeal before the Hon'ble High Court, they may be taken into consideration by the judges of the Hon'ble High Court. But my reply to him will be that the learned advocates of the High Court, in many cases, draw up the grounds for a second appeal on the basis of the judgment of the District Judge. If the District Judge arrives at his conclusions without considering the facts left out by the first court of origin and grants a decree on different points altogether, many points of law and controversial matters are liable to escape the notice of the Hon'ble High Court. Previously, the plaint and the statement used to find a place in the paper-book and Rs. 15 only were charged for it from the parties concerned. At present the charge for the paper-book has been raised to Rs. 22-8, but its size has been reduced by the exclusion of the plaint and the statement.

Under these circumstances, I hope that Government will provide for their insertion in the paper-book for a second appeal."

Babu JITENDRALAL BANNERJEE: Sir, I rise on a point of order. May I know whether the mover is speaking in Bengali or in any other language?

Mr. PRESIDENT: Do you think that it is neither Bengali nor English and that is so because you cannot understand him? (Laughter.)

Dr. NARESH CHANDRA SEN GUPTA: Sir, I rise to support the motion. I may explain the position with regard to the printing of paper-books. With regard to second appeals only the judgment of the first court and the appeal court and the memorandum of appeal are printed. For this the appellant has got to pay Rs. 15 and the respondent, when he puts in appearance, has to pay Rs. 7-8, and if there are more respondents and they make separate appearance, each one of them has got to pay Rs. 7-8, and not only that, but the plaint, the written statement and the pleadings are not printed up with the paper-books. In numerous cases we have found occasion to experience difficulty in dealing with all the points arising out of the case without looking at the plaint and the written statement; and very often the parties who want to rely on the plaint and the written statement, have to get them translated and typed at their own cost; that is to say, not only have the

parties to pay Rs. 15 and Rs. 7-8, but they have also to pay for the cost of translation and typing. The position before was entirely different. Some years ago the plaint and the written statement were invariably included in the paper-book in second appeals, and the parties had to pay the cost, but they did not have to pay for the printing charges for the judgments of the first court or the court of appeal as that expenditure was borne by Government. I think there was good reason for the rule. The paper-books are printed either because the Government insists or that the High Court judges insist that they should be printed. In any way, under the old rules, the charge had not to be paid, the parties had only to pay for the pleadings and each party had to deposit Rs. 7-8 when they entered appearance towards the printing cost; that is to say, the appellant and the respondent altogether had to pay Rs. 15. Even then if the cost of printing the pleadings was less, they got a refund, so that in most cases the cost to the appellant or the respondent of the printed paper-book seldom came above Rs. 5. At present it is more and the entire burden of printing charges is placed on the parties and still we are told that the cost of printing is not being met. Well, Sir, there is a certain amount of mystery about the costs of the printing work done in the High Court. Very recently we had trouble in connection with the printing of the daily cause lists. We were told that the cause lists could not be printed unless each of the subscribers paid Rs. 5 a month in place of Rs. 3 which they used to pay previously. There was considerable trouble about that and the Bar Association took up rather a firm attitude in the matter and refused to subscribe to the cause lists. After that there were negotiations and as a result of those negotiations it is now found possible to print and supply the cause lists to the subscribers at a monthly subscription of Re. 1 only. I think if the matter of the cost of printing these paper-books is investigated, it will be found possible to effect economy of a similar nature. Therefore, I submit, Sir, that there is no reason for burdening the parties with the cost of printing the paper-books without the pleadings. I think there is a very good case for reverting to the old practice under which the parties were only liable for the cost of printing.

Mr. E. C. ORMOND: Mr. President, Sir, may I say that for myself I entirely support this cut because it appears to me that it has reason on its side, and that this is an unnecessary expense to the litigants? It is clear that the amount that may be taken as deposit or security from the parties can be so fixed as to suit the cost of printing. It is also clear from what has been said, and as many members of this House know, that considerable economies have been effected in other similar matters, that is to say, in the case of printing the cause list. I do not pretend to have any practical knowledge of what happens in the Appellate Side of the High Court, and I am only speaking from what

I have heard from those who have a knowledge of the practice, and I am confident that the information they have given me is correct. I stand up here so that my friends on the other side may know that I as a member of the European group would agree to the suggestion embodied in this cut. But I have one difficulty; I recollect the technical difficulty that there is in regard to a cut of this nature. If a cut, however small, is once passed, the grant cannot be enlarged afterwards, whatever may be the necessity for it. I would, therefore, ask the Hon'ble Mr. Prentice, in whose charge the department is, whether he would assure the House that the matter, which is after all a small matter and need not be here discussed for any length of time, might be looked into, and if there is a reasonable case for an alteration, the alteration may be made.

Babu SATYENDRA NATH ROY: Sir, I rise to give my whole-hearted support to the motion of my friend, Haji Badi Ahmed Chowdhury. Speaking as one having something to do with paper-books, I have always found the injustice of leaving out the plaint and the written statement from the charges realised by Government. There seems to be no reason for it, and litigants have to incur a further expenditure in getting the plaint and the written statement translated and printed separately; so virtually the cost is trebled. The time has now come when we have got good typewriters, and so I do not see any reason why the printing of paper-books should not be done away with altogether and paper-books should only be typed specially in second appeals. With these few words I support the motion.

Mr. NARENDRA KUMAR BASU: Sir, I rise to give certain information which may not be known to the members of this House. I do not know if you have ever looked at a paper-book; it contains only the two judgments of the lower courts and the grounds of appeal to the High Court. I may tell the members of the House, at any rate those who are not conversant with the procedure of the High Court, that the copies of the two judgments of the lower courts and the grounds of appeal in the High Court are always typed in duplicate when the appeal comes up for the first hearing. At that time the typewritten copies of the two judgments and the grounds of appeal are supplied to the judges who hear the appeal under Order 41, rule 11, and then they decide whether to admit the appeal or not. After the appeal has been admitted, if it is an appeal below Rs. 500, it goes for hearing before a single judge, but if it is above Rs. 500, it goes before a bench of two judges.

12-45 p.m.

But, Sir, by some mysterious process at the final hearing, the judges cannot or do not look at the two typed copies which are still on the records of the High Court, but the parties are charged Rs. 22-8 for printing the identical papers which are in type in the records of the High Court. I do not know what justification there can be for this sort of extortion from the litigants. I may tell the House that a few years ago there was great trouble over the printing of the paper-books in the first regular appeals, and the Hon'ble Chief Justice in consultation with the Bengal Government appointed a committee with Mr. Justice B. B. Ghosh, as he then was, as President and with several members of the different branches of the profession and a representative of the Bengal Government, to go into the question of the paper-books in first appeals. But unfortunately this matter of paper-books in second appeals has never been considered properly. If these identical documents are good enough for the preliminary hearing, I do not see any reason why litigants should be charged Rs. 22-8 for the final hearing, and I would appeal to all members who have any legal or judicial experience to see that it is possible in 90 cases out of 100, to do real justice to the people in this respect.

The Hon'ble Mr. W. D. R. PRENTICE: I am in the usual difficulty of having to deal with a matter with which I am not at all concerned. The last speaker has referred to a procedure which has been laid down by the orders of the High Court, and which it is not in my power to alter at all. If those who are interested in the matter can persuade the High Court to alter it, so much the better. If they cannot do so, then I am afraid the result of passing this cut, so far as Government is concerned, will be nil.

Dr. Sen Gupta has referred to another matter, the printing of the cause lists. Mr. Basu will bear me out when I say that the recent alteration in the printing of these cause lists was due to action taken by the High Court, and all that the Government of Bengal has done, is to lend assistance in the printing of these lists. I suggest that the proper method of dealing with the subject of this motion, is to address the proper authorities in the High Court. Mr. Basu has referred to a committee which was appointed some years ago in connection with the printing of paper-books in second appeals. I imagine that that committee was appointed because action was taken inside the High Court, by the Bar. I have no doubt that if the Hon'ble the Chief Justice is approached now in the same way, there will be no difficulty in getting any real grievance that exists, removed. It is not correct to ask the Judicial Department to move in this matter, because the grievance is not within the sphère of action of Government, but of an outside and independent body.

I hope the member will withdraw his motion if I give an undertaking that I shall send a copy of the proceedings on this motion to the High Court, requesting them to go into the matter and take such action as they may deem fit.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 1,30,600 under the head '24A—High Court' be reduced by Rs. 100 (to criticise the policy followed in the selection of munsifs and to draw attention to the inadequate representation of Muslims in the Judicial service)."

Mr. J. N. GUPTA: "That the demand of Rs. 1,30,600 under the head '24A—High Court' be reduced by Re. 1 (to raise a discussion regarding necessity of retrenchment in the number of High Court judges on account of the marked decrease in the volume of the work in the High Court)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 1,30,600 under the head '24A—High Court' be reduced by Re. 1 (to call attention to the delays in the disposal of cases by the High Court owing to inadequacy and imperfect supervision of the staff)."

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 1,30,600 under the head "24A—High Court" be reduced by Re. 1 (to discuss the new rules regarding appeals under clause 15 of the Letters Patent against a judgment in civil cases of a judge sitting singly on the Appellate Side).

Sir, this motion of mine has reference to the change recently effected in clause 15 of the Letters Patent. My object in bringing forward a motion like this is to draw the attention of the Government to the new rules regarding appeals under clause 15 of the Letters Patent against a judgment in civil cases of a judge sitting singly on the Appellate Side and to ask the Government to take immediate steps in this matter as causing failure of justice. Sir, the rule originally was that against a judgment of a judge sitting singly there was an appeal before a Bench of two judges under clause 15 of the Letters Patent. A judge, while passing his judgment, must be taken to have been convinced of the decision he makes, otherwise he cannot be true to his own self as a judge. But then, Sir, no judge should stand in the way of a litigant's asking for remedy before a superior court if he finds himself

aggrieved, especially when the law gives him that right. Clause 15 of the Letters Patent has been changed only in November, 1929, with the result that in case a litigant feels himself aggrieved by any decision of a judge sitting singly, he has to apply for leave to that very judge who has decided against him, to prefer an appeal under clause 15 of the Letters Patent as soon as the judgment is passed. It may or may not be granted. There are more than one instance when such prayers have been refused. It has been seen that a judge passes one judgment, then feels some doubt, has the matter argued once again and then he passes a different judgment; he feels doubt again and has the matter argued a third time and passes a judgment—half and half. There have been instances when a judge observes that he cannot consistently grant any leave for appeal against his own judgment as that would mean that he had consciously done wrong and passed a wrong decision. There may be considerable force in this view of his. But then what is a party's remedy? Practically none. There is a provision in law under the Insolvency Act when against an order of the district court appeal lies to the High Court and under section 75 (*3*) of the Provincial Insolvency Act, 1920, appeal may be filed by leave of the district court or of the High Court. The Legislature felt this difficulty that it might not be possible for a district court to say that it was wrong in order that it might grant leave for appeal against its own decision, and, therefore, the High Court had also been given the concurrent jurisdiction with the district court. But there is no such thing so far as the Latters Patent appeals are concerned. It may be said in reply that neither the High Court nor the Local Government have any hand in the matter as the same lay with His Majesty's Government when clause 15 of the Letters Patent was amended. But may I ask who is responsible for giving this advice to His Majesty's Government? Was it pointed out that this might produce the effect of want of confidence in the administration of justice? Certainly this was not done. For a course like this would never have been agreed to if the true situation were explained. I would, therefore, ask the Government to take an early step in the matter so that this mistrust might be removed. If you look to the statistics, Sir, you will find that under the old rules, decisions of these single judges were set aside in the proportion of about 70 to 80 *per cent.*

That the present day judges feel that the public have not got confidence in all of them will also appear from that wonderful document, the Civil Justice Committee's report, for it is noticed in that report that some advocates in the High Court keep back motions from presenting them to the court when particular judges are presiding over the same and they present the same when other judges preside over these courts. Does it not indicate in unmistakable terms that the public have got confidence in some of the judges and have none in others? The litigant public know it full well

that however well meaning a judge may be, no judge can make a decision in favour of the two contending parties. Knowing that full well, why is it that both the parties want to have their case tried by a particular judge or judges? If this is the situation, Government ought to intervene and take immediate steps to advise the proper authorities properly and bring about a change in clause 15 of the Letters Patent.

With these few words I commend my motion to the acceptance of the House.

Dr. NARESH CHANDRA SEN GUPTA: I am afraid in moving this motion, my friend has aimed at the wrong target. The trouble is not with the Letters Patent, but the trouble is, as he has practically confessed in his speech, with the judges who are entrusted with it. It so happens that more or less inexperienced judges are entrusted with the business of dealing with appeals of less value, and that is what causes dissatisfaction. It is not possible for us here in this Council to discuss the merits or demerits of judges, but I think that the trouble lies with the system of recruitment of judges, in persisting in appointing judges of the High Court from the Civil Service. If all the High Court judges were taken from men in the profession of high standing, complaints would be fewer, and what is more, expedition would be much greater. That is a fact about which anybody who has experience of the High Court knows full well. The change that Mr. Mullick complains of was brought about for the purpose of dealing with the congestion of work so that there might be several Benches of single judges taking up appeals up to Rs. 500 instead of Rs. 50 as previously, and there should not be any further appeal except by leave. But in practice it is found to be otherwise. There has been a greater congestion because, as Mr. Mullick himself has pointed out, the way in which the Benches are constituted now, ensures an accumulation of appeals. Some of these judges are such that they cannot dispose of more than half a second appeal in the course of a single day, and that being the case, the fault does not lie with the legislature, but with the system of recruiting judges and with the system of the constitution of the Benches. But these are matters with which Mr. Mullick cannot unfortunately interfere. Personally I think that there would be nothing wrong in the new Letters Patent if you give us judges who know their business and do carry the confidence of the litigants. If you have that sort of judges, whether single or a bench of two or more judges, that does not matter.

1 p.m.

After all, nobody expects that in every litigation, absolute justice will be done. Nobody expects that there should be no mistakes when a judgment is given. But it has got to be accepted whether it is right

or not. As the Hon'ble Sir B. B. Ghose from his position in the Bench once said that if the judge says that it is midday when it is midnight, it must be accepted as such. That amount of finality must be conceded somewhere, and it does not matter if it rests with the decision of a single judge so long as the judge has the confidence of litigants.

Mr. C. BARTLEY: I think Dr. Sen Gupta has said in so many words that there is nothing wrong in the Letters Patent but in the selection of judges. I agree there is nothing wrong in the Letters Patent and that it is a matter entirely for the High Court to select their judges and to arrange their Benches as they think fit to do. It has no concern with Government and Government have no control over this question of selection of High Court judges. Sir, I do think that it is ungrateful to propose a cut in the Judicial Department, representing the District Judges, Subordinate Judges and munsifs,—a hard-worked body of men,—a cut in the grant which is intended to allow them to carry on their work simply because there is a certain amount of difference of opinion as to the merits of judges who may be selected to hear appeals as single judges. In fairness to the Judicial Department I do not think that the motion for this cut should be pressed. Moreover, even with regard to Dr. Sen Gupta's point, it must be admitted also that the decision of a single judge is not final. There can be an appeal, and whatever may be the judicial merits of the officer, it is, I think, practically certain that any particular judge is gifted with sufficient fairness of mind to grant an application for an appeal in any case in which a question of particular legal difficulty might arise. On these grounds I suggest that the mover might withdraw his motion.

The motion of Mr. Mukunda Behary Mullick was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 1,30,600 under the head '24A—High Court' be reduced by Re. 1 (to discuss the new rules of the High Court, Appellate Side, regarding the paper-book charges in second appeals of the value up to Rs. 500 from both the appellants and respondents)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,30,600 under the head '24A—High Court' be reduced by Re. 1 (to raise a discussion on the desirability that a single judge should try second appeals up to Rs. 50 in value instead of up to Rs. 500)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,30,600 under the head '24—High Court' be reduced by Re. 1 (to raise a discussion about the printing charge in second appeals heard by a single judge)."

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 37,800 under the head "24B—Law Officers—English Law Officers —Solicitor to Government" be refused.

Mr. President, Sir, if hon'ble members will be pleased to turn to page 135 of the book, the budget estimate, they will see that there is an English Law Officer to the Government of Bengal designated the Solicitor to the Government of Bengal who is paid a salary of Rs. 3,500 a month and the work that he is supposed to do according to the Legal Remembrancer's Manual, which I hold in my hand, is this—

"It has been decided that his duties as Government Solicitor shall be confined to those stated below and that the contract allowance payable for these duties shall be Rs. 3,500 *per mensem*. The duties are——

(*a*) that portion of the civil legal business of the Government of India which must necessarily be done in Calcutta, *i.e.*, litigation in courts and advising the departments of that Government located there;

(*b*) criminal work of an advisory nature for the departments of the Government of India located in Calcutta;

(*c*) the entire civil legal business of the Government of Bengal and of the Assam administration excluding all business connected with litigation in *mufassal* courts;

(*d*) advisory work in cases connected with conveyance and with leases of a complicated character referred to the Government Solicitor by the Legal Remembrancer of Bengal, Bihar and Orissa and Assam; and

there is another classification, I mean works of the Eastern Bengal and North-Western Railways and the Chief Mining Engineer, Railway Board, and fall outside the official duties of the Government Solicitor and are taken entirely out of the contract with him."

The effect of all this jargon is that the Government Solicitor for his pay deals with cases on the Original Side of the High Court if the Secretary of State is a party to it and gives his advice. So far as his giving advice is concerned, I may remind the House that there are the Advocate-General, the Standing Counsel, the Legal Remembrancer, the Deputy Legal Remembrancer, the Senior Government Pleader, the Junior Government Pleader, and there are a host of other officers on whom Government can rely for advice, and it must be very seldom that

this Government Solicitor is called upon for giving his advice. Even if he is, I do not know whether Government accepts his advice in the majority of cases or does not refer them back to the Advocate-General again. However, I have been trying to make out how many cases on the Original Side of the High Court occur in which the Government Solicitor acts for Government. I speak subject to correction, Sir, but from the researches that I have been able to make, it appears that during the last five years, the number of cases on the Original Side in which the Secretary of State was a party and which the Government Solicitor had to deal with totalled on an average four cases a year and for these four cases a year, this Government of Bengal, this absolutely bankrupt Government of Bengal, has got to pay Rs. 3,500 a month. I am quite sure that if the solicitor who is now acting as the Government Solicitor was appointed for these four cases, his charge would never have come up to Rs. 37,500 a year even with the inflated fees that are paid on the Original Side. I submit, Sir, it is worse than extravagant and an economic blunder of the highest degree.

Mr. C. BARTLEY: In the first place, may I point out the slight mistake of fact in connection with the statements made by the mover of this motion? The Government Solicitor is not as a matter fact paid Rs. 3,500 a month. When the recent 10 *per cent.* cut was proposed, although the Government Solicitor was not bound by the proposal, his case was dealt with on the same lines as the case of other legal officers. In view of the financial situation, a ten *per cent.* cut was proposed on a certain portion of the emoluments which they received from Government and in that connection the Government Solicitor agreed to accept the ten *per cent.* cut on a certain amount of the contract sum which he is given by Government. Therefore, at the present moment his pay is not Rs. 3,500 a month.

Secondly, I think the mover omitted in his quotation from the Legal Remembrancer's Manual to mention some of the duties which are performed by the Government Solicitor. One duty which he omitted is this that the Government Solicitor advises on all technical points connected with leases, agreements and conveyances referred to him by the Legal Remembrancers of Bengal, Bihar and Orissa and Assam, as work in this respect is heavy as I know, because a great many of these documents go through my hands, and I can assure you that I am in perpetual correspondence with the Government Solicitor with all sorts of complicated legal questions. In addition to that the Government Solicitor does work not only for the Government of India, which has to be done in Calcutta, but for Assam and, I believe, for Bihar and Orissa also. All these matters come within his scope, and further owing to certain difficulties which have arisen in connection with cases, there has been a proposal that the entire control should be put in the hands of the Government Solicitor cutting down the work of the Legal Remembrancer who up to

the present had a certain amount of technical power to interfere with matters like the approving of Counsel and the question of fees payable to Counsel. All that is going to be put on the shoulders of the Government Solicitor and he is to be made primarily responsible.

Moreover, I may point out that by employing the Government Solicitor, Government not only get the advantage of his legal knowledge, but they also profit by the fact that the Government Solicitor in his own office has a complete machinery independent of Government and for which Government is not called upon to pay a penny, to carry on legal business and that they get full advantage of a Solicitor's office for which they are not in any way financially responsible.

One other point of course in connection with the demand of the Government Solicitor is that both the Government of India and the Government of Assam contribute to this sum which is put in our budget as payable to the Government Solicitor so that although from the figures it appears that we pay, as a matter of fact the expense is very largely shared.

For these reasons, Sir, I oppose the motion.

1-15 p.m.

The motion of Mr. Narendra Kumar Basu was then put and lost.

Mr. S. M. BOSE: I beg to move that the demand of Rs. 68,000 under the head "24B—Law Officers—Legal Remembrancer—Pay of officers" be reduced by Rs. 101 (to discuss the question of emoluments drawn by sheriffs of the Calcutta High Court, and of adopting the practice of the Bombay High Court where the sheriff is honorary).

In Bengal, Sir, we have the extraordinary spectacle of an honorary sheriff getting on an average Rs. 20,000 to Rs. 25,000 a year as net profits! I suggest that this money should go to the State. In Bombay the system of honorary sheriff has prevailed all along and Madras some years ago has also adopted this practice. Accordingly I suggest that Bengal also should follow suit. I understand that this matter has for some time been examined by the Government of Bengal and the Government of India. I also understand that the High Court has expressed a strong opinion in its favour. I, therefore, ask whether our Government could not see their way to adopt this wholesome practice and thus benefit the public revenue by making the sheriff purely honorary.

Mr. C. BARTLEY: May I in the first place congratulate the mover of this motion on his discovery of an entirely new ground on which to

base this token cut? I looked up the proceedings of this Council, and it is extraordinary that nowhere do I find that this question has been agitated and argued or voted upon or divided upon at some stage or other during recent years. The mover has broken new and very interesting ground, and because the ground is interesting, I would like to say a few words about the history of the office of the sheriff.

The sheriff was a legal dignitary of great antiquity. Even in Norman times he was the King's right-hand man: he was the preserver of the King's peace and the administrator of the King's justice; he was the chief executive officer of the period.

Coming down to the present position, Sir, the Sheriff of Calcutta is appointed by Government from nominees made by the High Court and fees paid to the sheriff are fixed under the Government of India Act. From these fees the sheriff meets the expenses of his own office and it has been the practice that the surpluses in the past have been placed at the disposal of the sheriff. But in 1923 a Retrenchment Committee suggested that any surplus under that head should be credited to the Original Side of the High Court. The High Court judges were consulted in the matter, but they were of opinion that that question concerned the Government and it was not one primarily for them to take notice of. Then this Government made an investigation into this question and they found, as the mover has said, that in Bombay the office of sheriff is an honorary office and, though at the time when the original investigations were made that was not the case with Madras, Madras subsequently adopted that precedent and the position now is that both in Madras and Bombay the sheriff is an honorary officer. Then the Government of India were consulted. The idea was that the sheriff's office should be an honorary office. They said "quite so, but you must get the opinion of the local bodies in Calcutta." The local bodies were consulted, and as usually happens when local bodies are consulted, there were differences of opinion and things were held up for a considerable time.

The Bengal Government originally reported to the Government of India that things might be left as they were, but the Government of India demurred and finally, after further negotiations, the Government of India came to the decision that the Sheriff of Calcutta should be an honorary officer. The Government of Bengal accepted that position, but then the point arose of settling the question as to the authority to whom the revenues arising from the sheriff's office should be credited, what would become of the very large staff which the sheriff hitherto maintained and also what should be done with the funds in charge of the sheriff, one of them being a comparatively large sum of money which is known as the Pension Fund and which is designed to meet the grant of pension to retiring employés of the sheriff's office. One can easily imagine that all these points took a considerable amount of working out and the position now is that the process is now going on, and as soon as

all these preliminary arrangements are settled, as soon as the Original Side of the High Court is prepared to take over the management of sheriff's office and as soon as the necessary details in connection with the Pension Fund and its administration shall have been settled, the office of the Sheriff of Calcutta will be, like that of the Sheriffs of Bombay and Madras, an honorary office.

Mr. S. M. BOSE: Having regard to this explanation from the Judicial Secretary, I beg leave of the House to withdraw my motion.

The motion of Mr. S. M. Bose was then, by leave of the Council, withdrawn.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to move that the demand of Rs. 29,000 under the head "24B—Law Officers—Mufassal Establishment—Government pleaders and public prosecutors" be reduced by Rs. 10 (to discuss the qualifications and emoluments and fees of public prosecutors and Government pleaders).

The object of my motion is to indicate a line of economy which can be easily effected in this matter, as well as also to draw the attention of the Hon'ble Member to the policy followed in the matter of appointing public prosecutors in district courts. My first point is that public prosecutors who are entrusted with the duty of conducting prosecutions in the districts have got to take up serious cases not only in the sessions courts but also in the criminal courts. In the first place, only lawyers of a certain standing and of a certain years' experience and ability should be appointed to perform these duties, but one finds that nowadays, especially in my district—as a matter of fact such rules are not observed—anybody can come within the list, whether he is of one year's standing or of three years' standing, it does not matter. The result is the hopeless failure in conducting Crown cases, especially at the present time when there are able lawyers available for defending cases. I think in murder cases and other serious cases it is prejudicial to the interests of law and order (about which we hear so much nowadays) to entrust such prosecutions to persons who have not learnt the a, b, c, of the art of conducting cases. This gives rise to the suspicion that these appointments go by patronage and not by merit; so, sooner this is put an end to, and rigid rules are brought into existence under which only experienced lawyers should be put in charge of serious cases, the better would it be for the administration of justice as well as for law and order which is ultimately based on the proper administration of justice. That is my point No. 1.

Then, Sir, the fees that are paid to these junior lawyers are very high. In my district there are as many as seven sessions cases now going on and I understand that they get a fee of Rs. 16 *per diem*. This large sum can be saved if the parties as well as the Government as the prosecutor follow my suggestion. In cases where a party is willing to have its own lawyer, it can nowadays have the services of lawyers of standing at a lower rate of fees.

Adjournment.

The Council was then adjourned till 3 p.m., on Monday, the 21st March, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 21st March, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 116 nominated and elected members.

Oath or affirmation.

The following member made an affirmation of his allegiance to the Crown :—

Nawabzada Khwaja Muhammad Afzal, Khan Bahadur.

Starred Questions
(to which oral answers were given).

Insanitary condition of certain villages within police-stations Narail and Lohagara.

*153. **Mr. K. C. RAY CHAUDHURI:** (*a*) With reference to the statement given to starred question No. 174 at the Council meeting held on the 30th March, 1931, will the Hon'ble Minister in charge of Local Self-Government Department be pleased to state whether it is a fact that the death rate in comparison with the birth rate in the village Sankorpur within the Narail police-station and in the villages Naldi and Brahmandinagor within the Lohagara police-station has greatly increased in the year 1930 over the same in 1929?

(*b*) Is it a fact that the villages Sankorpur, Naldi and Brahmandinagor are full of deep jungles and are in insanitary condition?

(*c*) Have the Government ascertained whether it is a fact that these jungles and the insanitary condition of the villages are primarily responsible for the increase in the death rate?

(*d*) Are the Government considering the desirability of clearing the jungles and improving the sanitary condition of the villages? If not, why not?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) Yes.

(*b*) There are jungles and dearth of good drinking water in these villages as in other villages in this part of the district.

(*c*) The increase in death rate referred to in clause (*a*) cannot be attributed to jungles and insanitary conditions as these have been in existence for a long time.

(*d*) Clearing of jungles and improvement of sanitary conditions of villages are primarily the concern of the local bodies, *e.g.*, the district boards and union boards. It is understood that the President of the Naldi union board is contemplating a scheme for the clearing of the jungles in the village. Attempts are being made to rouse the sanitary conscience of the people by propaganda through the district board and union boards.

Text-Book Committee.

***154. Rai KESHAB CHANDRA BANERJI Bahadur:** (*a*) Has the attention of the Hon'ble Minister in charge of the Education Department been drawn to the articles published in the *Modern Review* of June and August, 1931, under the captions—

"Constitution of the Bengal Text-Book Committee and how it functions," and

"A scrutiny of the Historical Readers approved by the Bengal Text-Book Committee,"

respectively?

(*b*) Is it a fact that out of the 36 members of the Bengal Text-Book Committee, 6 are *ex-officio* members, 28 nominated and only 2 are elected?

(*c*) Will the Hon'ble Minister be pleased to state whether Government contemplate the revision of the constitution of the Text-Book Committee so as to provide for a majority elected by the secondary schools of Bengal, the minority being nominated by Government solely from experts?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) Yes.

(*b*) Yes.

(*c*) No, as Government cannot conceive that election would be a suitable basis for the constitution of a body with such functions as the Text-Book Committee.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state what action has been, or is proposed to be, taken to rectify the defects pointed out in these articles?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state whether there are any educational experts on the committee?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Most of them are educational experts.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state, of the 28 nominated members, how many are experts in the matter of proper selection of books?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (Inaudible in the Reporters' gallery.)

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state whether he is aware of a strong public feeling about the selection of books by the Text-Book Committee?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: There is probably such a feeling among the disappointed publishers.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Minister be pleased to state whether Government has any information of the revision of the constitution of the Text-Book Committee?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: As I have said before, we have got a scheme about the reconstitution of the committee, but .....(inaudible in the Reporters' gallery).

Babu JITENDRALAL BANNERJEE: With reference to (*c*), can the Government conceive of a better system of nomination for the purpose of constituting the Text-Book Committee?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (Inaudible in the Reporters' gallery.)

Babu JITENDRALAL BANNERJEE: Is the Hon'ble Minister aware that in an approved text-book on English literature, the idea that there is a bridge over the river has been rendered by the expression that there is a "*pole*" over the river?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: To err is human.

Babu JITENDRALAL BANNERJEE: Is that the sort of error which one would expect in a text-book passed by the Department?

(No answer.)

Rajagaon-Mon Gofa in Dinajpur district.

***155. Maulvi HASSAN ALI:** (*a*) With reference to the reply given on the 29th July, 1931, to starred question No. 79, will the Hon'ble Member in charge of the Revenue Department be pleased to state whether in view of the answer to (*b*), the Government are prepared to declare all actions of the Bihar Government regarding the administration (Civil, Criminal and Registration) of that portion of the area of the revenue survey village Rajagaon-Oorf Mon Gofa, as illegal, null and void?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether the Government are prepared to compensate the persons whose interests have been affected by such illegal administration of jurisdiction?

(*c*) Will the Hon'ble Member be pleased to state what relief or remedy will be afforded to such affected people now?

(*d*) Are the Government prepared to compensate the persons whose interests have been affected with regard to immovable properties (such as for registration of mortgages, sales, etc.) in consequence of such erroneous exercise of jurisdiction by the Bihar Government with regard to the portion in question of the Dinajpur district?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Member be pleased to state—

(*i*) how such an erroneous exercise of jurisdiction came about at all for so long a time as nearly a century; and

(*ii*) to whose fault is the same due?

(*f*) Will the Hon'ble Member be pleased to state the measurement of the portion of the said revenue survey village of the Dinajpur district, which is administered by the Purnea authorities?

(*g*) Are the Government considering the desirability of localising the portion?

(*h*) Are the Government prepared to give that portion over to the Bihar Government? If so, when? If not, why not?

(*i*) Has there been an inquiry by Government as to the ascertainment of the boundaries of Bengal and Bihar provinces in connection with the said revenue survey village Rajagaon-Oorf Mon Gofa?

(*j*) If the answer to (*i*) is in the affirmative, will the Government be pleased to lay on the table the full report thereof?

(*k*) Is the Hon'ble Member aware that the plaint in a mortgage suit relating to immovable properties situated in the said village Rajagaon-Mon Gofa valued at Rs. 14,000 has recently been returned to the plaintiff by the Purnea Court on the ground of want of jurisdiction, and that this has resulted in the loss of several thousands of rupees?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (*a*) No.

(*b*) Does not arise.

(*c*) The boundary will be settled after consultation with the Government of Bihar and Orissa.

(*d*) No. No such case has been reported to Government.

(*e*) (*i*) During the major portion of the period referred to the districts were in the same province. It is not known when the anomaly arose, nor why it has continued.

(*ii*) So far as Government are aware no one is to blame.

(*f*) The area reported to be administered by the Purnea authorities has not been measured.

(*g*) No.

(*h*) *Vide* answer to (*c*).

(*i*) Not yet.

(*j*) Does not arise.

(*k*) No.

Maulvi HASSAN ALI: Will the Hon'ble Member be pleased to state whether he can give the exact date by which the Government of Bihar and Orissa will be consulted?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I am afraid, no.

Maulvi HASSAN ALI: With reference to (*d*), will the Hon'ble Member be pleased to state whether the Government are prepared to make an inquiry as to whether any interest of any person has been affected?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have nothing to add to my answer.

Unstarred Questions

(answers to which were laid on the table).

Assistant Inspectress of Schools, Calcutta.

84. Babu JITENDRALAL BANNERJEE: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that the Assistant Inspectress of Schools in charge of the Calcutta Girls' Schools does certain duties in the Saroj Nalini Memorial Association?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any orders of the Local Government were given in that connection?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) who was Minister for Education at that time;

(*ii*) who was Secretary, Education Department;

(*iii*) whether any condition was laid down in the order?

(*d*) If the answer to (*c*)(*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the conditions are strictly observed by the Assistant Inspectress of Schools, Calcutta, and duly watched by the Inspectress of Schools, Presidency and Burdwan Divisions?

(*e*) How long has the Assistant Inspectress, Calcutta, been doing the duty in the Saroj Nalini Association?

(*f*) Will the Hon'ble Minister be pleased to state whether any irregularity in the discharge of the official duties of the Assistant Inspectress has been pointed out or any objection has been raised by the Inspectress of Schools, Presidency and Burdwan Divisions?

(*g*) Are the Government considering the desirability of withdrawing the order, if any, referred to in (*b*) above?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Yes.

(*b*) No orders were given by the Local Government.

(*c*) and (*d*) Do not arise.

(*e*) She has been Secretary of the school since April 16th, 1927, and Vice-President of the Managing Committee since February 27th, 1928.

(*f*) No.

(*g*) Does not arise.

Babu JITENDRALAL BANNERJEE: With reference to (*b*), will the Hon'ble Minister be pleased to state whether any such orders were given by the head of the Department?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes.

Babu JITENDRALAL BANNERJEE: What were the terms of the order?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Babu JITENDRALAL BANNERJEE: With reference to (*e*), will the Hon'ble Minister be pleased to state whether the Assistant Insprectress of Schools, Calcutta, has been the Secretary of the Saroj Nalini Association throughout the period since April, 1927?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

3-15 p.m.

Babu JITENDRALAL BANNERJEE: With reference to the answer to (*e*), will the Hon'ble Minister be pleased to state whether when she was a member of the Managing Committee she also officiated as Inspectress?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (Inaudible in the Reporters' gallery.)

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state whether Inspectors of Schools are allowed to do any outside work without the knowledge of the educational authorities?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (Inaudible in the Reporters' gallery.)

Lawyer on behalf of Government in the Howrah Court for conducting certain classes of cases.

85. **Dr. AMULYA RATAN GHOSE:** (*a*) Is the Hon'ble Member in charge of the Police Department aware that the lawyer engaged in the Howrah Court for the conduct of cases arising out of the fraudulent decrees is other than the Government Pleader?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state why the Government Pleader is not engaged in such cases?

(*c*) Is the Hon'ble Member aware that high fees are paid to the lawyer in such cases?

(*d*) What are the reasons for a particular lawyer being engaged by the Government?

(*e*) Is the Hon'ble Member aware that there are vakils and advocates prepared to conduct these cases on behalf of the Government on lesser fees?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) For reasons of economy and convenience.

(*c*) No.

(*d*) Because his work has been found satisfactory over a long period of years.

(*e*) Possibly, but cheapness is not the only consideration.

Babu SATISH CHANDRA RAY CHOWDHURY: With reference to the answer to (*a*), will the Hon'ble Member be pleased to give us his name and other particulars of the lawyer?

The Hon'ble Mr. W. D. R. PRENTICE: I ask for notice.

Motion for adjournment.

Maulvi SYED JALALUDDIN HASHEMY: Sir, may I ask for your decision about my motion for adjournment?

Mr. PRESIDENT: That is receiving our consideration and I think I would be able to tell you all about it by Wednesday next, if not earlier.

DEMANDS FOR GRANTS.

The discussion under the head "24—Administration of Justice" was then resumed.

Babu SATISH CHANDRA RAY CHOWDHURY: May I speak on my motions 570 and 571 together?

Mr. PRESIDENT: No, you cannot mix up the two. They deal with two quite different matters.

Babu SATISH CHANDRA RAY CHOWDHURY: As I said yesterday, here is a point which well deserves the consideration of the hon'ble members. There is an appalling waste of public funds in certain cases due to want of proper supervision. Time was when the Government took care to appoint as Government pleaders and public prosecutors men of outstanding legal attainments and the result was that Government was rightly advised in legal matter, public funds were not squandered on fruitless and abortive prosecutions and suits, the judges got real assistance which made for justice, and a prestige attached to those officers which was an advantage to the Government.

But now owing to a change in the mentality of the Government, the appointment of Government pleaders and public prosecutors or assistant public prosecutors has become a matter of patronage, pure and simple, regardless of the interests of law and order.

Raw juniors who have not learnt the A B C of law are given Government briefs and are opposed by veteran lawyers on the opposite side. No wonder that prosecutions are mismanaged sometimes consciously and sometimes unconsciously—the result being disastrous —public confidence being shaken in the administration of justice which in the past made British administration in India popular. Wrong acquittals are as much to be deprecated as wrong convictions for both weakens the foundation of public peace and order which must be the main concern of the Government.

Sir, I believe, in making such appointments, the written opinion of the district judges should be obtained—nay the nominations should be made by them subject to approval of the Government for he is the only person who knows most regarding the merits of the respective candidates. I emphasise this point not in the interest of any particular person but in the general interests of the proper administration of

Let not the very fountain be defiled for temporary political or other ends.

My next point is about the emoluments paid. Considering the quality of services obtained, the fees paid are much too high. In some cases, the same public prosecutor who gets Rs. 32 ordinarily has been paid Rs. 100 while conducting a dacoity or preparation for dacoity case tried by special tribunals. Why it should be necessary I do not understand. The fact that a case drags on for weeks is rather a ground for reduced fees being paid as happens in cases of engagements in private cases. If it is said here the Government lawyer is pitched against abler lawyers on the other side, and therefore requires higher remuneration, the answer is, increased remuneration only cannot improve the quality of service. Every man has a limit to his capacity. If really able lawyers are necessary to conduct cases under particular circumstances, why not make a special selection for the occasion and pay according to market rates? That would be a much cheaper business and a more efficient business.

Public funds should not be wasted unnecessarily. My third and the last point is, as a solution of the problem of unemployment and as a step to economy, whenever the real complaining party in a criminal case wants to have the case conducted for him by his own private lawyer, the necessary permission should be accorded by the District Magistrate as a matter of rule except in exceptional cases where the Magistrate is satisfied on hearing parties that such permission will be detrimental to the interests of justice.

We have been so far disappointed in matters like these which really means better justice and also saves a lot of money to Government as well. If this suggestion of mine is followed, a saving of about Rs. 30,000 a year can be effected in one district of Bengal alone—in Mymensingh. I made the matter clear once already to the Hon'ble the Finance Member and he admitted that there was force in this argument.

I do not know if the matter will come up before the Retrenchment Committee. Personally I have little faith in so-called retrenchment committees. More success can result if the Government would take up our suggestion in the spirit in which it is offered. I believe, there is ample room for a very appreciable retrenchment of the budget even without affecting the pockets of our Cabinet members. Can they not see eye to eye with us even when they are unaffected?

My suggestion will partially solve unemployment among the lawyer class. Unemployment is always bad, that is more so when the unemployed are the lawyers. The Government of Bengal, I hope, understands it better than anybody else. Sir, it is for these reasons

that I hope the Hon'ble Member will kindly look into the matter in both aspects—the aspect of economy as well as aspect of better help being rendered. I hope he will see his way to accept my motions.

Mr. PRESIDENT: I take it that your speech covered both 570 and 573.

Babu SATISH CHANDRA RAY CHOWDHURY: Yes, Sir.

Maulvi ABDUL HAKIM: Sir, I beg to move that the demand of Rs. 3,22,500 under the head "24B—Law Officers—Mufassal Establishment" be reduced by Re. 1 (to raise a discussion about the payment of fees to Government pleaders and public prosecutors in *mufassal* courts).

Sir, the subject matter of this motion has been already discussed to some extent by my friend Babu Satish Chandra Ray Chowdhury who has brought similar motions and hence I do not like to go the whole length of the matter.

I am not aware of the fees which the Government pleaders get daily in civil suits instituted by or against Government. It is true that these suits are very rare and consequently the money spent in a year in such cases is nothing but an insignificant amount. I like to lay particular stress on the exorbitant fees paid to the local public prosecutors in ordinary criminal courts and in special tribunals in *mufassal*, dealing with political cases in Bengal. The Senior Public Prosecutor in my district gets a fee of Rs. 32 a day and a Junior Public Prosecutor gets a fee of Rs. 16 a day. In my opinion, such fees which they usually receive are sufficient as remunerations for their labour. I am aware that the Senior Public Prosecutor of my district who ordinarily gets Rs. 32 as his daily fee, gets a daily fee much more than his ordinary fee when engaged to conduct a political case either in an ordinary criminal court or in a Special Tribunal. I have heard that sometimes he gets Rs. 100 as his daily fee when so engaged. These political cases are in reality no other than criminal cases and when these cases are tried in the same locality and the self-same local public prosecutors are engaged in those cases and specially when their period of labour is also the same, I see no earthly reason why their fees should rise to such a high amount as I have mentioned just now. Most probably the procedure for allowing such high fees in political cases is similar in all other districts of Bengal.

Before I take my seat I must say that there is no sense in such procedure and it is nothing but sheer waste of public money, the money earned by the toiling and suffering people of Bengal. With

these few words, I commend my motion for the acceptance of the House.

Rai SASONKA COMAR CHOSE Bahadur: I am very much surprised to find that two of the members of the legal profession have brought forward these motions on the ground that the public prosecutors and Government pleaders are paid more than they deserve. The motions raise two points. As I have said, Sir, it is not always that they are paid very large fees. If they are paid under exceptional circumstances, will the gentlemen who moved these motions kindly consider as to whether there are not also special circumstances under which higher fees were paid? It is said that in political cases sometimes public prosecutors or Government pleaders when they are engaged in criminal cases are paid higher fees.

I can assure the House I had on certain occasions to deal with political cases though I am the Government pleader and I can assure the House that nothing would have given me greater pleasure than to have to be able to refuse those cases although I must say that the fees paid to me were a little higher than usual. The mover of this motion, my friend Mr. Satish Chandra Ray Chowdhury, is perfectly aware of the conditions of his own district. In his district, there is a Government pleader who has been a Government pleader for 38 years now and who was appointed a Government pleader before he had completed ten years' practice in his profession and since then he has been the Government pleader of Mymensingh. After 38 years of service as Government pleader and 50 years in the profession he has just retired and the appointment has not yet been permanently filled up.

3-30 p.m.

I know from my personal experience of Mymensingh and Dacca, that the Government pleader used to take as few Government briefs as possible because he was very inadequately paid. Not only is this the case with regard to the district of Mymensingh but it is also the case so far as the Dacca and Chittagong divisions are concerned. I can say from personal experience that in most of the Government cases Government pleaders do not appear because Government do not pay them sufficiently and also because they generally get much more fees, sometimes double of what they can expect from Government, in private cases. Mr. S. C. Ray Chowdhury knows perfectly well that the Government pleader of Mymensingh would never think of appearing in a private case for Rs. 32 which is the fee paid by Government; that is the 'legal fee. The legal remembrancers have systematically refused to allow more than that, and the consequence has been that the Government Pleader of Mymensingh, a pleader of 50 years'

standing, has had to be satisfied with a fee of Rs. 10, although he may have to appear in more than one case in a day; that unfortunately has also been my personal experience in Dacca.

Now, two questions have been raised in connection with this matter —one is about the qualifications of Government pleaders and the other about the emoluments of Government pleaders and public prosecutors. With regard to the qualifications of Government pleaders, I think, I am not quite sure as to whether the House is aware of the system under which Government pleaders——

Babu SATISH CHANDRA RAY CHOWDHURY: On a point of personal explanation. The hon'ble member made a mistake in mentioning the word "qualifications."

Mr. PRESIDENT: If the member who is in possession of the House does not yield to you, you cannot rise to speak unless you are raising a point of order. Two members cannot be allowed to speak at one time.

Rai SASONKA COMAR GHOSE Bahadur: This is how the motion stands: qualifications and emoluments and fees of Government pleaders and public prosecutors. So far as the qualifications of Government pleaders are concerned, I submit that under the rules Government pleaders in the districts cannot be appointed unless and until they are approved by the District Judge; they are recommended by the District Magistrate and accepted by the Legal Remembrancer. If we leave out for the present the district of Dacca, then I would ask Mr. S. C. Ray Chowdhury to mention a single district in which the appointment of Government pleaders has not received satisfaction of the people of the districts where such appointments have been made.

So far as public prosecutors are concerned including the district of Dacca, I can say that Mr. Ray Chowdhury himself knows that the Public Prosecutor of Dacca has been acting there for the last 20 years and it is a fact that every succeeding District Judge has spoken very highly of him. I can say this of the Dacca and Chittagong divisions and also of one or two districts outside those divisions. So I do not think there is absolutely any substance in what Mr. Ray Chowdhury has brought before the Council and I submit that leaving out the Dacca district, it is impossible to say that the appointment of Government pleaders and public prosecutors has not been satisfactory to all. That is so far as the qualifications are concerned.

With regard to the emoluments of Government pleaders my complaint has always been and this is also the complaint of Government pleaders in this province as also of public prosecutors—that their emoluments have been too meagre, particularly, when we

consider the fact that during the last 21 years there has not been any revision of fees for Government pleaders and public prosecutors, although the salaries of all officers in the province have come under revision more than once. Now, so far as criminal cases are concerned, I have been a public prosecutor for nearly 32 years and Government pleader for 25 years and can say that there was a time when public prosecutors used to appear in most of the criminal cases, but nowadays they cannot do so because the policy of Government recently has been to reduce the expenditure under this head, and therefore the system of panel of assistant public prosecutors has been created. These assistant public prosecutors who are in the panel get Rs. 8 to Rs. 16, and the cases are divided between them according to the allotment of money in each individual case. So a junior pleader has to be appointed in a particular case, because Government cannot afford to pay a higher fee for the public prosecutor to appear in every criminal case. When I was a public prosecutor in the early days of 1900 or 1901, I do not know of any single case in which a junior pleader ever appeared; in those days a case used to take up 10 to 15 days a month. At present such cases are sent to the assistant public prosecutor as the fund now is too little to enable the public prosecutor to appear.

On the facts I have placed before the House, I should think that the House will probably come to the conclusion that Mr. S. C. Ray Chowdhury's complaint, that cases are not properly looked after because inefficient public prosecutors are appointed, is not justified. This is a matter which concerns Government more than any member of this Council and since Government is satisfied with the work of Government pleaders and the public prosecutors, for if anybody is to lose by reason of inefficient work of Government pleaders and public prosecutors it is the Government itself, others have no reason to complain.

Mr. PRESIDENT: I do not think you can say that. It also concerns the members of this Council as it is a matter of public interest.

Rai Bahadur SASONKA COMAR GHOSE: It undoubtedly concerns the public but I think it is very much more the concern of Government. When the question is whether Government is going to retain or to lose a big property, say a *char* in the Meghna, which is a Government property and which in the exercise of its sovereign rights it is more interested in, it is not for members of this Council to say that they are more interested in it than Government. But that is a matter on which I do not wish to dilate here further. On the facts placed before the House by me, I think the House should throw out these two motions.

Dr. NARESH CHANDRA SEN GUPTA: We have had the somewhat unusual spectacle in connection with the budget debate of a person who is himself concerned coming forward to defend his salary. But I am in perfect agreement with Rai Bahadur Sasonka Comar Ghose that in the cases which he has cited and in a number of other cases Government pleaders are under-paid. As a matter of fact it is perfectly true that fees of Government pleaders have not been revised for a long time. But then to refer to these matters in connection with the motions that are now before the House is likely to lead the judgment astray from the main issue. The question is not whether the public prosecutor of Mymensingh is an efficient man or is paid more or less than he deserves, but the question is as to whether persons who have been appointed as public prosecutors or assistant public prosecutors are always men who have anything to support their claims, except merely that they have been able to secure the patronage of some one. Even looking at the panel of public prosecutors for the district of Mymensingh, I would ask Rai Bahadur Sasonka Comar Ghose, and indeed anybody else in this House, to say that that panel includes men who are all of them the fittest for these posts. Well, Sir, persons have been appointed as public prosecutors who are not the fittest men and some of them at any rate are persons who cannot do justice to the prosecution cases.

Rai SASONKA COMAR GHOSE Bahadur: Is it permissible for any member of this House to consider the qualifications of men who are not before the House and so cannot defend themselves?

Mr. PRESIDENT: I think it is.

Dr. NARESH CHANDRA SEN GUPTA: That is one of the points raised, that persons who have been appointed as assistant public prosecutors are not quite fit for the post having neither the necessary experience, nor the legal knowledge and training. I am not referring to personalities but this is a proposition which, I hope, nobody will be able to contradict and if anybody comes forward to contradict, I shall be able to refer to specific cases and point out that I am correct.

Then the second point is this: Government have not been very generous with their money in paying the fees of Government pleaders; that is an undoubted fact; but there have been cases in which Government have been unduly generous, notably in the case of particular persons. There are a few lawyers who are often engaged on fancy fees to do jobs which might be done by others in places where equally competent men are available. Is it not a fact that at the present moment there is pending in the High Court a case for which a gentleman from the *mufassal* has been or is going to be brought out to instruct the Government pleader? Was not there a proposal——

Mr. PRESIDENT: You said that you would not refer to personalities, but I am sorry you are doing that.

Dr. NARESH CHANDRA SEN GUPTA: But this is a fact that in High Court sometimes there are cases in which Government pleaders from the *mufassal* come forward to help Government pleaders in Calcutta. I say there are cases in which fancy fees, extraordinary fees, are paid to certain Government pleaders which are not at all necessary, and which might be spared. It may not be known to all but it is a proposition which, I think, cannot be safely questioned.

Mr. C. BARTLEY: In dealing with this motion I am bound to say that I think there is very little left for me to add to the discussion which has already taken place. My friend, Rai Bahadur Sasonka Comar Ghose, has put the case of the Government pleaders and public prosecutors with a force and vigour which I could not attempt to emulate, and I must admit that I am very considerably in sympathy with much of what he has said. I confess that in my own experience as District Judge of Dacca, I made strenuous but unavailing efforts to influence succeeding generations of legal remembrancers to consider this very question of Government pleaders' and public prosecutors' fees.

3-45 p.m.

Both the Government Pleader and the Public Prosecutor of Dacca are gentlemen of very great legal experience and I may say of very considerable legal acumen. Still whenever they are employed they do not ordinarily get more than Rs. 32 *per diem*.

There are only two points to which I want to refer. One is the suggestion which emerges from the speeches just made, which seems to be to the effect that the work, that is now put on the shoulders of the Government pleaders and public prosecutors, should be taken away from them and distributed amongst other members of the Bar. As a relief to the prevailing economic distress, I admit that there is a certain amount of force in this suggestion, but from the point of view of efficiency, I am afraid, this is not a sound policy. We have men who have been specially trained and selected for this work and who have been doing it for years and years, and it is hardly in the interest of efficiency to take away the work from them and give it to others on the score of financial stringency or economic distress.

Then there is one other point, that is, that the fees given to Government pleaders have been very considerably enhanced. That is

undoubtedly true in regard to certain cases, but it is equally true that the type of work involved demands a considerable amount of additional time and labour not contemplated under the system in force, which merely provides for the expenses of the ordinary routine work of the *mufassal*. When a man's work is extremely difficult it is only fair to give him a remuneration commensurate with its character, and I think, it is necessary that legal officers in *mufassal* should occasionally be paid higher fees than those laid down in the Legal Remembrancer's Manual.

The following motions of Babu Satish Chandra Ray Chowdhury were then put and lost:—

"That the demand of Rs. 29,000 under the head '24B—Law Officers—Mufassal Establishment—Government pleaders and public prosecutors' be reduced by Rs. 10 (to discuss the qualifications and emoluments and fees of public prosecutors and Governments pleaders)."

"That the demand of Rs. 3,22,500 under the head '24B—Law Officers—Mufassal Establishment' be reduced by Rs. 1,00,000."

The motion of Maulvi Abdul Hakim was then put and lost.

The following motion was called but not moved:—

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 1,50,000 under the head '24B—Law Officers—Mufassal Establishment—Allowances and honoraria—Fees to pleaders in criminal cases' be reduced by Rs. 50,000."

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 19,000 under the head "24B—Law Officers—Mufassal Establishment —Fees to pleaders in civil suits" be reduced by Rs. 105 (to draw the attention of the Government that this money can be saved if particular pleaders are not patronised).

Sir, I may point out that particular favouritism is shown in the matter of engaging pleaders by the officers in charge of conducting prosecution cases on behalf of the Government in the different departments and the evil consequences are felt by the people as well as the Government. I do not understand the reason why pleaders or vakils other than the Government pleader or the public prosecutor should be engaged in the Crown cases at all. The Government pay retainers to their permanent law officers and in spite of that other lawyers are engaged for the conduct of cases almost every day in the courts. The effects of engaging such irresponsible lawyers are wastage of money in more ways than one, these lawyers give irresponsible opinions and according to such opinions, litigations are continued when they should not. These lawyers give opinions deliberately so as to drag on the litigations as

long as possible just with an idea of earning money, and as they have got no responsibility either to the Government or to anybody, they do not care much whether the case is lost or won; they are concerned with money and they know well that so long the patronising officer is there they have got nothing to be afraid of. But their actions are the causes of large expenditure for the Government and at the same time to the parties concerned. The fees billed by such lawyers are equivalent to though not higher than those of the Government pleaders and public prosecutors. If an inquiry is made by the Government in this matter, they will find to their surprise that these lawyers charge much higher fees from the Government than what they usually get in their daily practice from their private clients. If the Government want to economise in this direction they can do so in a much better way. They can appoint a panel of lawyers in consultation with the Bar Association and the judges and munsifs with a scheduled rate of fees according to the qualifications as regards seniority of practice, etc. From this panel, lawyers are to be engaged by rotation in less important cases where the engagement of the Government pleader or the public prosecutor with an apparent higher fee is not deemed necessary. Thus much money can be saved and the public will also be saved from the unnecessary litigations, harassment and expense. Any lawyer composing the panel will be charged with the responsibility that failure of a certain percentage of cases will be a cause for removal of his name from the panel, unless satisfactory explanations are given for the failures. There is such a panel perhaps on the criminal side. I would like to suggest that these panels should be reconstituted and reviewed annually by a competent authority, as for example, the District Magistrate or the District Judge or the Legal Remembrancer, with a view to give scope to new recruits.

Sir, I sent in a number of questions and in answer to them the Hon'ble Mr. Prentice has given us to understand that such pleaders are engaged for reasons of economy and convenience, and regarding a particular pleader he said that the work of that pleader had been found satisfactory over a long period of years. I shall just show that the replies of the Hon'ble Mr. Prentice have no foundation.

I shall very briefly state the facts of a case from which it can be well proved how the public money is wasted by this department. One Sewbalak Sing of Howrah obtained a decree in Small Cause Court case No. 466 of 1926 of the 2nd Sub-Judge's Court, Howrah, against Ram Asre Sing of Balia and the decree-holder served a notice on the judgment-debtor Ram Asre Sing at Balia, on the 23rd November, 1929. Then the said Ram Asre Sing filed a petition to the Collector, Balia, praying to take legal steps against the decree-holder on the ground that the decree was a fraudulent one. The Collector thereupon took up the case and sent it to the Government of Bengal, whereupon Mr. N. G. Mukherji,

Inspector, C. I. D., Fraudulent Civil Decrees Section, inspected the whole record of the original suit No. 466 of 1926, in the 2nd Sub-Judge's court at Howrah on 11th December, 1929, and the pleader representing the Assistant Deputy Inspector-General of Police, C. I. D., Bengal, started a rehearing case No. 2 of 1930, and the regular petition of revision under order 9 was filed on the 3rd January, 1930, when by that time the petition was barred by limitation under section 164 of the Limitation Act. The petition should have been filed by the pleader on the 23rd December, 1929, *i.e.*, within 30 days from the date of service of notice which was done on the 23rd November, 1929, the date on which the judgment-debtor and the Collector of Balia had full knowledge of the decree—but instead of filing the revision petition on the 23rd December, 1929, the pleader filed it after it was time-barred. The case was dismissed by the Hon'ble Court in civil rule 275 of 1931, and the Hon'ble Mr. Justice Jack, Calcutta High Court, remarked in his judgment: "The application has become barred by limitation apparently owing to want of diligence or ignorance of the party and to the fact that the matter was taken up by Government department and a delay took place in that department in dealing with it." The delay of the department is no doubt unpardonable, but the ignorance of law of the pleader who filed the original application on behalf of the Assistant Deputy Inspector-General of Police, Bengal, is the cause of failure of this case, because the whole responsibility rested on the learned legal adviser of the Government, on whose advice a large amount of public money has been spent.

Had it been entrusted to a competent lawyer the case certainly would not have ended in this way. I do not know why this department has a particular fancy for this gentleman who is quite incompetent to deal with such cases and I do not know why Government pays Rs. 16 *per diem* to this pleader whose usual fee is much lesser than the said amount. If in cases of this department the Government pleader who is a subsidized officer is briefed I think the Government is saved from paying fees for all the dates on which the case is adjourned and on which dates only the formal *tadbirs* are done. If the Government pleader is not engaged, why this particular pleader is engaged and why other eminent lawyers of Howrah who take lesser fees and who work more efficiently are not engaged? It does not stand to reason why this particular pleader would make a monopoly of this department.

Sir, I have given you a concrete case, but I think such cases may be multiplied. If the Hon'ble Mr. Prentice wants to keep the prestige of his department, I would request him to make an inquiry into the case and take necessary steps. I do not want to dilate further into the matter, and I think, I have made out my case for Mr. Prentice to take the necessary action.

4 p.m.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I am afraid that I am handicapped in replying to this motion, because Dr. Ghose did not have the courtesy to let me have beforehand the facts of the specific case to which he referred, to enable me to reply to this motion fully. In his speech he has referred to certain facts. It has always been a matter of wonder to me why Dr. Ghose, a doctor, should be the member to make these complaints about the prosecution of fraudulent civil suit cases and what connection Dr. Ghose has with these cases. For in the past he has from time to time complained to me of the action taken and the injustice done in prosecuting people who are alleged to have filed false civil suits. However, he has now given me the facts of one case and I shall make inquiries into the matter.

As regards the actual case itself, it is an example of how Government work is subdivided. As the members of Council know, we had a great deal of trouble in the past as regards both civil and criminal cases brought by upcountry people against the people of this province and this matter of fraudulent decrees became a scandal. So the duty of investigating and prosecuting these cases was handed over to the Criminal Investigation Department. That Department has its own pleader to deal with these cases, and that is why this pleader in Howrah is employed in these cases. You have heard from the Rai Bahadur from Dacca a short time ago that Government pleaders do not like to deal with Government cases, because they earn more money from private practice, and I do not think that it is the Government Pleader of Howrah who is probably pressing to have charge of these cases.

Dr. AMULYA RATAN GHOSE: No, Sir.

The Hon'ble Mr. W. D. R. PRENTICE: Then, it may be that some of the private pleaders who are unemployed would like to have some of these cases, and Dr. Ghose is perhaps speaking in their interests, in order that they may get the business instead of the pleader who is doing this special work for the Criminal Investigation Department and has been doing it very well. I am quite prepared to admit that in various cases mistakes are made, as the Hon'ble Minister for Education said a short time ago "to err is human." Questions of limitation are frequently difficult and it is quite possible that in this particular case there was a mistake made. But as I have already said, I shall look into the facts, and I shall also see what connection Dr. Ghose has with the case.

Dr. AMULYA RATAN GHOSE: Sir, I am quite satisfied with the assurance given by the Hon'ble Member, and I would ask for leave to withdraw the motion.

The motion of Dr. Amulya Ratan Ghose was then, by leave of the Council, withdrawn.

The following motion was called but not moved:—

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 5,08,500 under the head '24B—Law Officers' be reduced by Rs. 1,84,000."

Rai Dr. HARIDHAN DUTT Bahadur: Sir, I beg to move that the demand of Rs. 14,000 under the head "24E—Presidency Magistrates' Courts—Juvenile Court and Detention House" be reduced by Re. 1 (to discuss system of administration of juvenile offenders).

Sir, my intention is to raise a discussion about the juvenile offenders' court. On the 22nd of March, 1930, the Hon'ble Mr. A. N. Moberly had remarked in this Council that the administration of the Children Act fell within the purview of three different departments, *viz.*, the Police, Judicial and Educational Departments, and further that with a view to co-ordinating the work, as far as possible, one member was to be in charge of the whole subject. It was about this time that the Probation Officers were transferred from the control of the Commissioner of Police to that of the Chief Presidency Magistrate. The House of Detention, however, continues to be under the Commissioner of Police. I would suggest that Government should transfer the control of the House of Detention also to the Chief Presidency Magistrate and place the same in charge of a Probation Officer or of the Magistrate, Central Children Court, in addition to their present duties. This would mean an immediate saving of Rs. 170 per month under the head "Pay of Superintendent." The House of Detention for Children is analogous to the jail *hajuts* for adults. These latter are under the Jails Department but both in the districts and in the subdivisions they are in charge of district or subdivisional magistrates. It is only in the fitness of things that the House of Detention should be under the control of magistrates. In fact the reason for the House of Detention being placed under the Magistrate is much stronger in the case of the House of Detention than of the jail *hajuts*. The essential purpose of the House of Detention is not merely physical detention but for closer observation and study of each child placed therein, both by the Probation Officer and specially by the Magistrate dealing with the case, with a view to determining as to how best to deal with the child. I would request Government to examine to what extent the House of Detention serves the purpose of observation and study of each child. I would further ask Government to consider the desirability of changing the name "House of Detention" and calling it "Observation Centre" so as to stress the real purpose of the Home. I feel certain that the placing of this observation centre in charge of a Probation Officer or of the Magistrate, Central Children Court, in addition to their duties would not only mean a saving of Rs. 2,040 a

year, but what is far more important, it would help the realisation of the real purpose for which the present institution was started. With these few words, I would leave my motion for the consideration of the House.

Mr. S. M. BOSE: Sir, I beg to move that the demand of Rs. 14,000 under the head "24E—Presidency Magistrates' Courts—Juvenile Court and Detention House, etc." be reduced by Re. 1 (to call attention to the necessity of appointing women honorary magistrates for juvenile courts).

Sir, the object of my motion is to call attention of Government to the necessity of appointing women honorary magistrates for the juvenile courts here.

In Bombay and Madras even where there are juvenile courts, there are women honorary magistrates, since 1929 and 1930, respectively. In Patna, Benares, Allahabad and Nagpur, even where there are no juvenile courts, women have been appointed magistrates. But Bengal, as usual, lags behind. In 1922, the Children's Act was passed here, and juvenile courts established. In 1929, these were reorganised, and a special magistrate appointed. But women have not yet been appointed magistrates to help him in the work which requires so much sympathy and mother-craft.

The reason cannot be that women here take no active interest in public affairs and so they are unfit to be so appointed. It is a well-known fact that women in Calcutta of all sections of the community have always taken a very keen interest in all forms of social welfare work. Honorary lady probation officers have been appointed. Beyond question, there are many ladies here who by their education and public spirit, are well qualified to be magistrates. Further, leading women's organizations, like the Bengal Presidency Council of Women and the All-India Women's Conference, have recently been pressing for such appointments.

Women undoubtedly will be of great assistance in dealing with the child offender. With their motherly instinct and tact, they will be able effectively to appeal to children and to reform them; and I feel sure that the special Magistrate will gladly welcome their help. I may here add that in England, in all serious cases in juvenile courts, women sit with the stipendiary, virtually as assessors.

In these circumstances, it is indeed a matter of surprise that the Government has not yet done the right thing. Can the reason be that they are against women, against allowing women to exercise their natural rights and vocation? Sir, it is widely believed that the two European members of the Cabinet and at least two other Indian members are against the fair sex. If that be so, it is indeed a matter for regret. Public suspicion has received support from the fact that our Government has been against women's suffrage, or at any rate against its extension.

Why Bengal should be a backward province in so many respects, is indeed a mystery. Anyway, what I am asking for, will not hurt our Government in any way even if they be against women; it will not cost them anything. Further, women will be of great assistance in reclaiming young offenders, and thus in the long run, the State will be benefited, for it is from the ranks of such children that criminals are recruited.

I therefore press the Government to lose no time in appointing women honorary magistrates here, and I trust they will accept my suggestion.

Mr. W. C. WORDSWORTH: Sir, without wishing to deprive Government of Rs. 2 I associate myself entirely with Dr. Dutt and Mr. Bose. As a member of the general public interested in these matters, and also specifically as a member of the committee of the Society for the Protection of Children, I recognise their public spirit in bringing forward these motions. Much progress has been made of recent years in the science and art of managing unfortunate and delinquent children. But in India we are far behind the rest of the world and in Bengal we are very far behind some parts of India, particularly far behind Bombay. Admittedly we do our best to conceal our shortcomings from the world at large, and from the Year Book on children's welfare, I got this sentence this morning under the head "India": "The provision of sound industrial training for juveniles and their segregation from other offenders is a general-accepted policy." I do not know the name of the humorist who furnished that statement to the editor of the book, but we can agree that it is an accepted policy only in that sense of the word in which policy is opposed to practice, and presumably it will be an accepted policy until people—the public at large think it ought to become also accepted practice, then it may be that difficulties will be found in the way of practising it. The same book put forward as an instance of what India is doing for the care of her children the Bengal Children Act, without explaining how little of it has been made operative. The Act is a very comprehensive Act, the result of years of consultation and deliberation, and was put through this Council after weeks of hard work. But very few sections of it have been made operative because once Government had passed the Bill through the Council, they looked at it a little more carefully and discovered that its administration would cost money, so they put it aside, and only pressure from outside has brought a few sections into use.

[At 4-20 p.m. the Council was adjourned for prayer and it reassembled at 4-35 p.m.]

Mr. W. C. WORDSWORTH: I was observing, Sir, that in Bengal we can learn much from Bombay; above all, we can learn very much from Great Britain which leads the world in this department of service

to children. There they have a Children Act which is known all the world over as the Children's Charter, and it embodies the history of the efforts made and the legislation passed for over 2 centuries to give children that measure of protection which is necessary. It is a really comprehensive Act, a real defence of children against danger and ill-treatment, and it is all framed on the principle that the object of legislation in dealing with young delinquents must be to save and not to punish. This system is supported on several pillars. One of them is the system of industrial and reformatory schools, which we have introduced in our own Bill, but which we have left entirely inoperative, though without these schools to which young delinquents can be sent in lieu of punishment, no system of looking after the interests of children has been anything but very successful. Those who are aware of what is done by the Home Office, and particularly of the work that was done by Dr. Russell in charge of the Home Office department in building up that department, will be aware that his work was of a very high order of statesmanship and that his communications and pamphlets are, in this department of public service, State documents of very great value. Juvenile courts are the other great pillar of the system, and the great landmark in their history in England is a circular, Mr. Shortt's circular, issued when he was Home Secretary in 1921. That circular puts in brief form the doctrine that should be followed in dealing with these children in the first instance, and it is a document that has made history in many countries. It will be of service, I hope, if I very briefly give you its contents. This circular recommended that in all large towns and populous centres it should be regarded as the duty of the Justices to hold children's courts in a building or room entirely separate from the ordinary police courts, where that was possible, or if it was not possible, to hold children's courts when the ordinary police court was not sitting. Then the recommendation was included that there should be a court of specially qualified magistrates for the hearing of children's cases, and a iota of specially qualified magistrates for hearing children's cases, including, if possible, women magistrates. Then it was laid down that no one should be admitted into these courts except those who had some connection with the case; also that the Press should always be invited and requested never to publish the names of delinquent children brought up for trial. It was further laid down that any children in the court should be given in simple language all explanation necessary to enable them to understand what was being done. Further, there was a recommendation that punishment should be inflicted as seldom as possible, and release on probation as often as possible. The circular further contained a recommendation about the medical examination of children who might be suffering from physical or mental hurt, and also about the means of lessening the strain on young girls who are giving evidence in cases of indecency and immorality. This circular was ordered to

be sent by the clerks to the Justices, to every magistrate attached to any court, and I think it might be useful if copies were provided and circulated to magistrates in this country, because it marks a very great advance in this department of juveniles.

The juvenile courts—there are now many in England, 9, I think, in London alone—take their place along with reformatory and industrial schools, as enemies of the prison system. The schools have been most active in the war of humanity against crime and the juvenile courts are now working hand in hand with the schools to make things better. It has been my privilege to study these matters under the Home Office, and I am able to assure you that their schools, all run either by voluntary agencies or local authorities, none by Government itself, are happy homes. Some figures may be of interest. In 1914 there were in these schools 19,000 children; by 1925 there were only 8,000. That shows that the schools had already done their work in large part. The children sent to the schools have been fewer, because the children brought up before the Court are steadily becoming fewer. We do not do much, unfortunately, for the children in this country. The public blames Government that always has its hands full. Government may retort that this is work for voluntary agencies. It is fairly correct to say that in all countries this is especially the work of an interested public working through voluntary agencies, and it does make a powerful appeal to voluntary workers. We are far behind here, but something is being done, as we recognise, by the establishment of the children's court—

[Here the time-limit for the discussion of the demand under the head "24—Administration of Justice" was reached and the member had to resume his seat.]

The motions of Rai Dr. Haridhan Dutt Bahadur and Mr. S. M. Bose were then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 77,37,000 be granted for expenditure under the head "24—Administration of Justice" was then put and agreed to.

The following motions under the head "24—Administration of Justice" were not called owing to the expiry of the time-limit:—

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,81,000 under the head '24E—Administration of Justice—Presidency Magistrate's Court' be reduced by Rs. 1,000 (to raise a discussion about the orders with regard to the classification of political prisoners)."

Babu AMULYADHAN RAY: "That the demand of Rs. 12,50,000 under the head '24F—Civil and Sessions Courts—Pay of Munsifs' be

reduced by Rs. 100 (to set apart at least 20 *per cent.* of the appointments of munsifs for the candidates of the backward classes as enumerated on page 189, Part I, Calcutta University Commission's Report)."

Babu AMULYADHAN RAY: "That the demand of Rs. 12,50,000 under the head '24F—Civil and Sessions Courts—Pay of Munsifs' be reduced by Rs. 100 (to draw attention to the way in which rehearing of civil cases in the *mufassal* civil court are disposed of and the growing tendency of some of the munsifs in summarily rejecting petitions for adjournment)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 12,50,000 under the head '24F—Civil and Sessions Courts—Pay of Munsifs' be reduced by Re. 1 [to impress the necessity of increasing the pecuniary jurisdiction of the munsifs of *mufassal* civil courts (specially at Gapalganj)]."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 1,54,000 under the head '24F—Civil and Sessions Courts—Allowance to Jurors and Assessors' be reduced by Rs. 100 (corruption among jurors and the method of checking the same)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,54,000 under the head '24F—Civil and Sessions Courts—Allowance to Jurors and Assessors' be reduced by Rs. 10 (to press that the travelling allowance or actual expense of travelling should be given to assessors and jurors)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,54,000 under the head '24F—Civil and Sessions Courts—Allowances to Jurors and Assessors' be reduced by Re. 1 (to criticise the unfair selection of jurors at Noakhali)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 9,35,000 under the head '24F—Civil and Sessions Courts—Process-serving Establishment' be reduced by Re. 1 (increase of Muhammadan officers)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 12,65,300 under the head '24F—Civil and Sessions Courts—Process-serving Establishment' be refused."

Kazi EMDADUL HOQUE and Babu LALIT KUMAR BAL: "That the demand of Rs. 12,65,300 under the head '24F—Civil and Sessions Courts—Establishment—Process-serving Establishment' be reduced by

Rs. 100 (to raise a discussion on and to draw attention of the Government to the condition of service of the process-servers and their grievances)."

Kazi EMDADUL HOQUE and Babu LALIT KUMAR BAL: "That the demand of Rs. 12,65,300 under the head '24F—Civil and Sessions Courts—Process-serving Establishment' be reduced by Rs. 100 (to raise a discussion on the provision of pension for the process-servers)."

Maulvi NUR RAHMAN KHAN EUSUFJI, Dr. AMULYA RATAM GHOSE, Mr. K. C. RAY CHAUDHURI, Babu HARIBANSA ROY, Maulvi SYED NAUSHER ALI and Maulvi SYED MAJID BAKSH: "That the demand of Rs. 12,65,300 under the head '24F—Civil and Sessions Courts—Process-serving Establishment' be reduced by Rs. 100 (to raise a discussion on and to draw attention to the condition of service of the process-servers and their grievances, in regard to pension, inadequate pay, conditions of service, etc.)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 12,65,300 under the head '24F—Civil and Sessions Courts—Process-serving Establishment' be reduced by Re. 1 (to raise a discussion about the non-observance by officers of the circular prohibiting private service by peons)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 21,89,400 under the head '24F—Civil and Sessions Courts—Pay of Officers' be reduced by Rs. 1,000 (to discuss the advisability of making appointments of Sessions Judges and Sub-Judges from senior members of the District Bars and the unwisdom of appointing young civilians as Sessions Judges and Assistant Sessions Judges)."

Mr. R. MAITI: "That the demand of Rs. 21,89,400 under the head '24F—Civil and Sessions Courts—Pay of Officers' be reduced by Rs. 100 (to raise a discussion about the present method of recruitment of judicial officers and their emoluments)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 21,89,400 under the head '24F—Civil and Sessions Courts—Pay of Officers' be reduced by Rs. 100 (to criticise the policy of recruiting Sessions Judges from the ranks of Subordinate Judges)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 32,23,200 under the head '24F—Civil and Sessions Courts—Pay of Establishment' be reduced by Rs. 1,000 (to complain that there was not a single Muhammadan *sheristadar* in the Judges' Court in the district of Mymensingh during the years 1910 to 1931)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 32,23,200 under the head '24F—Civil and Sessions Courts—Pay of Establishment' be reduced by Rs. 100 (prevalence of corruption and means of checking the same)."

Rai KESHAB CHANDRA BANERJI Bahadur and Babu HARIBANSA ROY: "That the demand of Rs. 32,23,200 under the head '24F—Civil and Sessions Courts—Pay of Establishment' be reduced by Rs. 100 (to raise a discussion on the widespread prevalence of corruption amongst the ministerial officers of civil courts)."

Babu HEM CHANDRA ROY CHOUDHURI: "That the demand of Rs. 32,23,200 under the head '24F—Civil and Sessions Courts—Pay of Establishment' be reduced by Rs. 100 (to raise a discussion about Government's failure to check the practice of illegal gratification prevalent among the ministerial officers and peons of the civil courts)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Rs. 3,00,000."

Kazi EMDADUL HOQUE and Babu LALIT KUMAR BAL: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Rs. 100 (to raise a discussion on the district administration of the civil courts)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Rs. 100 [to draw attention to (*i*) the necessity of suspending business in civil courts from 12-30 to 2 p.m. on Fridays as is done in criminal and revenue courts for the purpose of giving facility to Muslim litigants, officers and members of the legal profession to say their 'jumma' prayers and (*ii*) the want of accommodation and other facilities for Muslims to say their daily prayers while attending courts]."

Babu HARIBANSA ROY: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Rs. 100 (to draw attention to the insufficient accommodation in the Howrah Court building, the unsatisfactory condition of the staircase leading to the Additional District Judge's and Additional Munsif's Courts and want of a shed for witnesses and litigants)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Rs. 100 (proper representation of Mussalmans in the Judicial service)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Rs. 100 (extension of the newly built civil court building at Tangail)."

Maulvi SYED NAUSHER ALI: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Rs. 100 (to raise a discussion on the District Administration of the Civil Courts)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Rs. 100 (to criticise the policy of the Government for not providing waiting rooms for the litigant public in the *mufassal* courts)."

Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Rs. 100 (to raise a discussion on the District Administration of the Civil Courts)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Re. 1 (quarters for the Munsif, 3rd Court, at Tangail)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Re. 1 [to discuss the Government Notification No. 783, dated the 20th February, 1928, increasing the grant of leave on average pay annually by 15 days to officers of the Bengal Civil Service (Judicial) in the vacation department and to suggest that it be also extended to the ministerial officers serving in the Civil Court of the said department]."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Re. 1 (to raise the discussion on the working of the suggestions of Civil Justice Committee causing a failure of Judicial Administration in the interior of the Province)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Re. 1 (to draw the attention to the necessity of establishing a Record Room in Howrah)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced to Re. 1 (to draw the attention to the bad staircase of the Howrah Sessions Court)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Re. 1 (to draw the attention to the non-existence of any urinal for gentlemen in the Howrah Sessions Court compound)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Re. 1 (to criticise the action of Government for not permitting the construction of a roof on the sites where the litigant public officers of Civil Courts say their prayers during Court hours within the Civil and Sessions Courts compounds)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Re. 1 (to criticise the policy of Government for not providing with waiting rooms for the litigant public and the witnesses in *mufassal* courts)."

Maulvi ABDUS SAMAD: "That the demand of Rs. 64,34,000 under the head '24F—Civil and Sessions Courts' be reduced by Re. 1 (to draw attention to the inadequate representation of the backward classes of the Muslim community in Judicial and ministerial services in *mufassal* courts)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 3,00,000 under the head '24G—Courts of Small Causes' be reduced by Rs. 20,000."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 28,900 under the head '24H—Criminal Courts' be reduced by Rs. 100 (to urge on the Government of the necessity for a witness-shed in Howrah Criminal Courts)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Rs. 2,00,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Rs. 1,000' (to discuss about the present system of administration of justice)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Rs. 1,000 (to raise a discussion on the necessity of more recruitments from the Bar and the Provincial Judicial Services)."

Rai Sahib AKSHOY KUMAR SEN: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Rs. 100 (to raise a discussion about the pay of officers)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' reduced by Rs. 100 (to raise a discussion on the general inefficiency of the department)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Rs. 49 (to raise a discussion as to the desirability of recruiting at a very early date at least 50 *per cent.* of the District and Sessions Judges in Bengal from the legal profession)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Re. 1 (to raise a discussion on the present system of administration of justice)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Re. 1 (to raise a discussion as to the desirability of taking steps for amending the Criminal Procedure Code (Act V of 1898) so as to make provision for reviewing the case and re-summoning the accused after the case is struck off and the accused is acquitted without trial under section 247, Criminal Procedure Code, for non-appearance of complainant for an unavoidable cause)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Re. 1 (to draw attention of Government to the paucity of instalments given in decrees passed by civil courts in suits brought by usurious money-lenders against the poor agriculturist debtors of the Province at this time of their extreme economic suffering)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Re. 1 (to press that the present system of serving notices of appeals, revision cases and rules relating to appeals through peons of the District Judge's Court should be abolished and notices should be sent by registered post, the parties bearing the charge)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 77,37,000 under the head '24—Administration of Justice' be reduced by Re. 1 (to press that the special holidays for Muhammadans should be given to all)."

25—Jails and Convict Settlements.

The Hon'ble Sir B. B. GHOSE: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 48,95,000 be granted for expenditure under the head "25—Jails and Convict Settlements."

The demand, it will be noticed, represents an increase of Rs. 12 lakhs when compared with the provision (Rs. 36·9 lakhs) made in the budget of 1931-32. The causes which have necessitated this increase must be patent to the members of this House. It is not for me to deal with the causes, but the fact is that from the beginning of this year, there has been a rapid rise in the number of prisoners. To provide suitable accommodation for the extra prisoners, Government have had to reopen and restaff the two special jails at Dum-Dum as well as the additional special jail at Hijli. The increase in the number of prisoners has also involved a corresponding increase in dieting, medical and transport charges. The prospect of an early cessation of the causes and particularly of civil disobedience does not yet appear probable. It has therefore been considered necessary to provide for an unusual number of prisoners. In budgeting for the year 1932-33, the only course open to Government is, therefore, to assume the continuance of these abnormal factors. The demand (Rs. 48,95,000) has been based on a population of 24,050, calculating the number of ordinary prisoners at 18,900 (increase due to economic distress), civil disobedience prisoners at 5,000 and detenus at 150, against the normal population of 13,500. No reasonable man will assert that an additional demand of Rs. 12 lakhs is excessive when the jail department has to keep so many people in custody in a suitable condition. It is hoped that this movement subversive of all order will soon cease, and should that happen in the course of the ensuing financial year, there is every reason to expect the actual expenditure to fall short of the present demand.

I may say with regard to the calculation of the demand, that it has been assumed that there will be about 10,000 more of prison population, and Rs. 12 lakhs is rather a small amount to meet the needs of this number, and it may be that this amount may have to be increased.

With these few words, I commend my motion to the acceptance of the House.

4-45 p.m.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 60,000 under the head "25A—Jail—Superintendence" be reduced by Re. 1 (to discuss the dress of Muhammadan prisoners).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, in connection with the motion I want to say that I have seen many Muhammadan convicts wearing cloth which does not reach below the knees. According to the teachings of Islam, a Muhammadan, who does not cover his body below the knee, commits an act of grievous sin and *namaz* is not correctly performed with a dress not going down the knees. It defeats the reforming purpose of jail life in the case of Moslem convicts if they are not allowed to perform their *namaz* in strict accordance with the injunctions of religion. It is also an outrage upon Islam.

I hope, in view of these considerations, Government will accept the proposal for supplying in future Muhammadan convicts with such dress as reaches below the knees."

Maulvi TAMIZUDDIN KHAN: Sir, I do not know what the actual practice at present is in the jails, whether Moslem prisoners are allowed clothings which cover their knees. If this is not so, this is a real grievance on the part of the Moslem prisoners. It is obligatory on every Mussalman to cover his body from the waist up to the knee, and unless that is done, he cannot say his prayers and he does an act which is considered to be irreligious. I think this is a matter which should be looked into by the Government at once. According to the Jail Code, shorts are supplied to the prisoners and if these shorts are made a bit longer they can cover their knees, and in that case there will be no grievance.

I support the motion.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I rise to oppose this motion because all that has been said by the Haji Sahib was wrong, and in all the jails, so far as I know—and I have been in seven or eight jails in Bengal—Moslem prisoners are supplied with long trousers. They are given short trousers for jail work and they change their short trousers for long ones at the time of prayers. I have experience of the jails at Khulna, Alipore, Jessore, Midnapore and Dinajpur, and from personal knowledge I say that this is the case in those jails. The Haji Sahib does not know that this is so.

Mr. SHANTI SHEKHARESWAR RAY: Sir, in connection with the dress of prisoners, I should like to draw the attention of Government to the dress of female prisoners——

Mr. PRESIDENT: The motion relates to the dress of Muhammadan prisoners.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I am not discussing the question from any communal point of view but I can say that there are of course female Moslem prisoners. I should like to say that for decency's sake more suitable dress should be provided for female prisoners.

The Hon'ble Sir B. B. GHOSE: Does the hon'ble member suggest that female prisoners should put on trousers?

Mr. SHANTI SHEKHARESWAR RAY: There is no question of trousers, Sir, but the question relates to the dress of prisoners, males and females.

The Hon'ble Sir B. B. GHOSE: Sir, my thanks are due to Maulvi Jalaluddin Hashemy who has been in so many jails in Bengal and who has spoken about the dress of prisoners from his personal knowledge. I need hardly say anything more against this motion. This has been brought by the mover evidently under a misapprehension for, since August, 1923, according to the Jail Code, every Muhammadan male prisoner is provided with trousers instead of *jangias*. With regard to divisions I and II prisoners, I need hardly say anything as they are supplied with their own clothing from outside. I hope the mover will withdraw his motion, otherwise, I submit, the motion should be thrown out.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the Council, withdrawn.

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 4,42,000 under the head "25A—Jails—Presidency Jail" be reduced by Rs. 1,59,000.

Sir, there has been recently enormous increase in jail expenditure. More money has been spent in supervision and management of jails than any attempt to improve the condition of prisoners. I cannot find any reason why the post of the jailors of the Presidency Jail should be reserved for the Europeans. Indian jailors, however senior and competent they may be, are not allowed to take charge of the Presidency Jail. Whenever the permanent incumbent goes on leave, European

warder is generally selected to officiate for the jailor in preference to senior Indian deputy jailors. The post of the Deputy Superintendent has been recently offered to the European jailor but no attempt has been made to appoint any Indian jailor to the post. There is no necessity for the appointment of the additional jailors. There is no necessity for maintaining such highly-paid officers as workshop foreman when the jute mill has been abolished. There is room for economy in the manufacturing department. No attempt has been made to cut down the expenditure in the manufacturing department. With these observations, Sir, I move my motion.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I again rise to oppose this motion. In opposing this motion brought forward by my friend Dr. Amulya Ratan Ghose, I would only point out to him that we have been so long trying for the better clothing and better treatment of the prisoners and the good effect of all these things. I do not understand under what consideration Dr. Ghose is trying to justify this cut. We have heard just now from the Hon'ble Member in charge of the Jail Department that only 12 lakhs of rupees has been asked for as an excess grant for such a large increase in the jail population in the course of the last two or three months. I am afraid, the number will be swelled within the next two or three months, and if we cut this Rs. 1,59,000 from Rs. 4,42,000, it will be quite absurd—prisoners will then die. Now they are ill-fed, ill-clothed and ill-treated. It is not the way, it is not the sensible method for attacking the Jail Department to make a cut in the jail demand. It is rather desirable for the members of this House to see that the demands for jail expenditure are increased. With these words, Sir, I oppose the motion.

The Hon'ble Sir B. B. GHOSE: Sir, I again rise to thank Maulvi Syed Jalaluddin Hashemy, and I hope that in every motion for a cut with regard to the Jail Department Mr. Hashemy will support Government. The fact is that the Jail Department is not responsible for bringing people into jail. It is certainly the duty of the Jail Department to keep the prisoners in a reasonable state of comfort, and, as Mr. Hashemy has pointed out, any shortness of funds will cause discomfort to the prisoners and prevent their proper accommodation in the jail. Mr. Hashemy has complained that the food supplied to the prisoners is not quite good. This is open to dispute. But whatever that may be, the question is that if the House votes for a larger amount for the Jail Department, the authorities will be able to provide for more comforts. If there is a cut of even a rupee, then if any increased expenditure is necessary that cannot be provided for, as there cannot be any reappropriation from any other head. It is quite unnecessary for me to make a lengthy speech in connection with the present motion,

and, as Mr. Hashemy has pointed out, the increased demand is all due to the increase in the number of prisoners. I, therefore, oppose this cut.

The motion of Dr. Amulya Ratan Ghose was then put and lost.

The following motion was called but not moved:—

Mr. P. BANERJI: "That the demand of Rs. 9,15,000 under the head '25A—Jails—Central Jails' be reduced by Rs. 5,00,000."

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 9,15,000 under the head "25A—Jails—Central Jail" be reduced by Rs. 3,50,000.

Besides the Presidency Jail, there are four central jails—two under I.M.S. superintendents and two under officers who were formerly deputy superintendents. No Superintendent has been recruited from the rank of jailors. The Indian Jails Commission has recommended that some of the superintendents should be recruited from the jailors but no attempt has been made to carry out the recommendations of the Indian Jails Commission. Even in Bihar and Orissa, some of the jailors have been selected to act as superintendents and deputy superintendents but in Bengal, no Indian jailor has been selected either for the post of Superintendent or for the post of Deputy Superintendent. I do not know why the post of the Jailor of the Alipore Jail is reserved for the European. There should not be any bar to the appointment of an Indian to the post of Jailor of the Alipore Jail. There is no necessity for maintaining four European warders for the Alipore Central Jail. There should be rigid economy in the manufacturing department. In theory the deputy jailors have got executive duties and the assistant jailors have to do clerical duties but in practice there is no difference in work between deputy jailors and assistant jailors. But the deputy jailors get higher salary than the assistant jailors, and this creates heart-burning amongst the officers.

With these words, Sir, I commend my motion for the acceptance of the House.

The Hon'ble Sir B. B. GHOSE: I oppose this motion. Dr. Ghose has said that the number of jail officials should be reduced. But, Sir, if the prison population increases, it is impossible to reduce the number of jailors and other officers who have to look after a large number of prisoners. It is even difficult to reduce the number of jail officers who have been engaged either temporarily or for a number of years. Sir, we have economised by the recent ten *per cent.* cut and I may tell the House that there has been a good deal of grumbling among the jail officers because they say that as there has been no cut in the Police

Department, why should there be any cut at all in the Jail Department. I think, Sir, there is no good ground for any further reduction, and I oppose this motion.

The motion of Dr. Amulya Ratan Ghose was then put and lost.

5 p.m.

Mr. R. MAITI: Sir, I beg to move that the demand of Rs. 9,15,000 under the head "25A—Jails—Central Jails," be reduced by Rs. 100 (in order to draw attention of the Government to the grievances of the prisoners, particularly political prisoners in central jails, regarding diet, accommodation, bad treatment by the authorities, non-supply of mosquito curtains and other complaints).

Sir, these are the grievances which are of daily occurrence in the jail, but the authorities do not seem to pay much heed to them. So I have thought it proper to ventilate these grievances on the floor of this House. Sir, as regards the diet the less said, the better. Dietary arrangements in the jails are hopelessly bad. Any oil or any spices are hardly put in the curries prepared for the prisoners. The Hon'ble Member in charge of this department being a Bengali, can easily understand how unpalatable and insipid is the taste of the curries when prepared without oil and spices. The prisoners, particularly the political prisoners who mostly belong to the *bhadralok* class, very often request the Superintendent to taste the curries in their presence so that they may have an opportunity of looking at his distorted face before they are allowed to eat such things. Sir, it is no exaggeration to say that this is a sort of food which is quite unfit for human consumption. I am sure the prisoners will rather prefer to have one curry properly cooked with the necessary ingredients to any number of those prepared without them.

As to the accommodation in the jail, the condition is still worse. Prisoners are at times accommodated in a place which has a capacity for much less. In the Midnapore Central Jail, there is accommodation for about 1,200 people but at the present moment some 2,000 prisoners or so have been housed there. The number has almost doubled. One can easily understand what tremendous inconveniences are being felt by the inmates of the jail on that account. This state of affairs is really deplorable. If the jail authorities are not in a position to make proper arrangements for the accommodation of the prisoners in the jail, it is better that the Government should at once issue instructions for housing the excess number of prisoners elsewhere, or failing that, for their immediate release on that ground. Either of these two courses must be adopted, else there is no justification for putting so many together in a place suited for a less number of people, to the detriment of their health and safety.

Then, Sir, there is the bad treatment towards the prisoners by the jail staff. Instances there are too many, but suffice it to mention

here one or two instances in order to show the nature of such treatment. I have noticed some of these incidents while visiting the jail myself. My personal experience is that the warders are allowed to control the prisoners according to their own whims and caprices, though the authorities connive at their actions. Once the prisoners were making complaints to me when all on a sudden the warder, who was standing by my side, rushed forward and made them stand properly by giving them a good shake and a push, as if they were undergoing an ordeal of a military drill. It seemed to me, Sir, that the main object with which the warder did such a thing was to inspire awe and fear in their minds so that the prisoners might not have much to complain against them. Though he was immediately taken to task by me still such occurrences are happening every day and at all hours under the very nose of the jail authorities concerned. Their rude behaviour towards the prisoners is absolutely shocking. This is almost unbearable for the political prisoners who are generally respectable and belong to a better class of people. Sir, on account of these rude behaviours and inhuman treatment by the authorities of the jail, the inmates of the jail are never made to feel that it is the house of correction but it is a place for torture.

Now, Sir, as regards the non-supply of mosquito curtains for the prisoners in jail, it is a standing grievance of the inmates of the jail. It is well known to everybody how uncomfortable we feel if we are to sleep at night without curtains in places where these pests are in great abundance. Doctors are generally agreed that in malarious districts it is not at all safe to sleep without curtains if one wants to protect himself from attacks of malaria by mosquito bite. So, Sir, from any point of view mosquito curtains are absolutely necessary for the population in jail or outside. It stands to no reason that you will supply mosquito nets for "A" class and "B" class prisoners, but none for Division III prisoners. You must consider that they are also human beings and require the same protection for health inside the jail as one outside it. Division III or "C" class prisoners, though their mode of living and status in life is somewhat different from the "A" class and "B" class prisoners, have at least one thing in common so far as the use of mosquito curtains at their own homes are concerned. Even the poorest of the poor uses a curtain at least, if not anything else. Now, Sir, what justification is there for not providing the "C" class prisoners with mosquito nets in the jail? As an excuse, you may plead want of sufficient funds but, Sir, if you are once convinced of the fact that provision of mosquito curtains would be an effective method for dealing with the malaria problem among the jail population you cannot shut out its immediate introduction. When money can be made available for huge expenditure on police demands it can also be made available from any source whatsoever. Somehow or other money must be found out for this long-standing grievance of the jail population. Sir,

there are many more complaints so far as the jail administration is concerned. But the time at my disposal is very short. So I would refrain from multiplying instances after instances. But at the same time I cannot resist the temptation of saying a few words about the reply the Hon'ble Sir B. B. Ghose gave to my question No. 130 on the 15th instant. Sir, a good many persons were arrested under the Emergency Powers Ordinance at Contai, Tamluk, Ghatal and *sadar* and brought over to Midnapore in a conveyance for detaining them in the Central Jail. It is an admitted fact that these places are at a considerable distance from the jail, covering several days' journey on foot. But when they were released, Sir, after a certain period of detention in the jail, they were not paid anything as expenses for their food and going back to their respective homes, as they were neither convicts nor undertrial prisoners. May I ask the Hon'ble Member what are they then? If they do not come under the Jail Code, I do not see any reason how they could be detained in the jail to which the code applies. Does it not, Sir, stand to reason and common sense at least that you bring them under arrest in a conveyance from a long distance and ask them to go away without food and journey expenses? Even the detenus who are also neither convicts nor undertrials are entitled to all such expenses after their release. I fail to see why such differential treatment was meted out to those detained under the Emergency Powers Ordinance. No other civilised Government could have ever thought of according such sort of treatment to any person whom they preferred to detain.

Last of all, Sir, there is one thing to which I should like to draw the attention of the Hon'ble Member and it is this: The Hon'ble Member should make it a point of visiting these jails once or twice a year, and though it has never been the practice with them before, such a visit, I am sure, will remove many grievances of the jail inmates.

With these words I commend my motion to the acceptance of the House.

Maulvi SYED JALALUDDIN HASHEMY: Last year while speaking on a similar motion I characterized the policy of the Government of Bengal with regard to jail administration as inhuman, barbarous and immoral. This year, if I am so permitted, I would use still stronger language. First of all I would bring to the notice of the House the appalling state of affairs in the Hijli Additional Jail. Then I would give a graphic description of the condition now prevailing in the Dum-Dum Additional Jail. Then I will turn to Eastern Bengal and give a description of the Dacca Central Jail. But before I give a description of the treatment meted out to political prisoners I would like to refer to the case of Ghulam Zilany, son of a prominent *zamindar* of Dacca. He was lodged in the Dacca Central Jail and placed in Division III;

while there he was attacked with typhoid. The medical officer, the Jail Superintendent and the Subdivisional Officer all recommended the release of this prisoner on the ground of ill-health. But unfortunately the Additional District Magistrate of Dacca, Mr. Tufnell-Barrett, did not allow the prisoner to go out and if I am allowed to say, Sir, Mr. Tufnell-Barrett abetted this homicide. The recommendation of release by the Superintendent and the Subdivisional Officer was made on the 4th February last and Mr. Tufnell-Barrett passed orders on the 10th, when the unfortunate youngman had already expired in the Dacca Central Jail.

Then, again I will cite another instance for the information of the Hon'ble Member. Maulvi Abdul Hai, coming from a very respectable family, I can say, the most respectable family in the Burdwan Division, is now lodged in the Dum-Dum Additional Jail, and is placed in division III. I do not know, Sir, the policy of Government in classifying prisoners. As far as my knowledge goes regarding the new revised Jail Code every member will agree with me that men of respectable families, good social status and education and superior mode of living, should be classified either in division I or II. I also think that every member of the House will agree with me that the gentlemen I have mentioned above all belong to the class which is known as high class. I should like to know, Sir, under what circumstances they have been placed in division III.

Then, again, I will give another example. The name of Lal Miya is probably known to all over Bengal, at least to all the newspaper-reading public. He was placed in division I in the Faridpur Jail. When he was transferred from that jail to the Alipore Central Jail he was allowed to travel only in the 3rd class. Sir, there is an express provision in the Jail Code that Division I prisoners while they are transferred from one jail to another will be given inter-class fares. I am certain, Sir, that the European sergeants or sergeant who were or was accompanying him was travelling in the 1st or 2nd class. He was travelling from Faridpur to Alipore on the 22nd February last with a ticket No.—I would particularly request the Hon'ble Member to take down the number—32569, a railway pass.

Then, again, Sir, I would invite your attention to the sufferings of lady prisoners in the Suri Jail. My information is that at the Suri Jail there are 9 women detenus and I must say that I believe the further information—just as Government believe in information supplied by their district officers, I believe this with equal justification—that these 9 women detenus in the Suri Jail are lodged in a place, the area of which is 12 ft. by 8 ft. which may be called a regular Black Hole, a real Black Hole and not the imaginary Black Hole of the British historians. You will be surprised to learn that it is only a tin shed; there are no

tiles or anything over it. Just imagine the condition of the lady prisoners at this hot season particularly at day-time. Sir, a number of petitions have been made to the Government for transferring them to a place which may save them at least from the scorching heat of this tin shed. Sir, so far as my knowledge of geography goes, it is a very hot place naturally.

Now, again, let me turn to the Hijli Detention Camp.

5-15 p.m.

Sir, I now come to the affairs of the Hijli Additional Jail. About 1,800 Division III civil disobedience prisoners of various ages are lodged there. The conservancy arrangement leaves much to be desired as the existing system of disposing of sewage is extremely unsatisfactory.

The Hon'ble Member said in reply to a question that there was no scarcity of water. I shall be able to show that there is scarcity of water.

The Hon'ble Sir B. B. GHOSE: I have never said so. The question was—was the disturbance due to scarcity? I said "no".

Maulvi SYED JALALUDDIN HASHEMY: I accept that.

There is acute scarcity of water, especially for drinking and bathing purposes, both in male and female jails, water being supplied from 1 tube-well. There are nearly 2,200 prisoners, 1,400 in the additional special jail, about 150 in the female jail, 250 or 300 detenus in the detention camp and over 400 ordinary convicts to serve the political prisoners. The total allowance for cleansing, washing, bathing and drinking seems to be less than 1 gallon per day, which is manifestly inadequate, the more so in the hot season.

If something is not——

Mr. J. CAMPBELL FORRESTER: On a point of information, Sir. Will the member please let us know the source of the information which he has just given?

Maulvi SYED JALALUDDIN HASHEMY: Sir, I am not bound to give the source of information.

If something is not done immediately to increase the supply, there is every likelihood of cholera and other epidemics breaking out very soon. Ten cases of chicken and small-pox have been found to be segregated. It is not known whether other prisoners were vaccinated to guard against infection. Some cases of pneumonia and dysentery have also occurred. Fever is a common phenomenon.

Hovels (with corrugated-sheet roofs and thatched walls) are extremely uncomfortable in all seasons; besides they are generally infested with venomous scorpions and reptiles. No precautions have been adopted by the authorities against these. These are also infested with mosquitoes.

Food is unfit for human consumption. Food is given twice a day, once in the day-time at about 12 noon and then at about 5 p.m. Nothing is given in the morning not even *lapsi*. The prisoners have to remain without food for about 19 hours at a stretch, *i.e.*, from 5 p.m. to 12 noon next day.

Interviewers have to wait outside the Jail under the sun for hours together. They are treated with scant courtesy at the time of interview and have frequently to swallow insults from the sentry at the gate. On the 13th instant some of the gentlemen, who went to interview certain prisoners, were actually pushed away by the sentry, who happened to be there on duty up till noon. Later on, consequent on protest, the offending sentry was removed. Interview is not allowed in practice to continue for more than 2 or 3 minutes in most cases, although Jail Rules allow at least 5 minutes. These are the conditions of the Hijli Special Jail.

I shall now come to the affairs at the Dum-Dum Special Jail. The prisoners in this jail are put behind a double set of barbed wire fencing at the time of interviews. This is unnecessary and irritating, and the prisoners are refusing interviews. The Inspector-General of Prisons visited the prisons on the 28th February last and insisted on enforcing hard labour, particularly trying works like preparation of ropes. The Inspector-General on the occasion left orders for enforcing the obnoxious system of "fall in" and "*sarkar salam*" and promised for the purpose, to increase the number of warders and armed police. It is feared there might be a repitition of Hijli there. A party of armed force arrived at the jail on the 29th February and created a commotion by firing blank shots. I do not know what was the object of firing blank shots inside the jail.

Soaps are not supplied by the authorities for any purpose. Those supplied from outside are being refused from 29th February, 1932, by the authorities.

The jail dress for class C prisoners is shorter by many inches than the ordinary uniform. It is indecent. The jail dress for women prisoners of the class C is revolting to the sense of decency of even the poorest Bengali woman. It leaves a considerable part of the body bare or semi-bare. They are not permitted to wear *saris*. Some were forcibly made to wear the jail uniform.

Hindu widows in jails are not being allowed to cook their own food. This is an attack on their religion and practice. Some in the women's special jail at Hijli were as a result fasting.

Then, Sir, I am giving to the House a description of the affairs at Munshiganj. One of my friends, Mr. Dhiresh Chandra Chakraverty, M.A., was sentenced by the Subdivisional Officer of Munshiganj to two years' rigorous imprisonment under section 115, Criminal Procedure Code, for preaching Congress programme at a meeting in a village in Dacca on the 25th January last. He was removed from the Munshiganj sub-jail to the Dacca Central Jail on January 27th handcuffed. A large number of people gathered on the roadside at Munshiganj and greeted him with shouts of "*bande mataram*". At this the Assistant Superintendent of Police, Dacca, a European, who was then at Munshiganj thana near by rushed and assaulted Dhiresh Babu with blows on the left eye and temple. Being handcuffed he could offer no resistance. Dhiresh Babu was rendered unconscious, and the spectacles he wore were broken to pieces, both frame and glass. It was most fortunate that the broken pieces of glass only scratched the surface and did not pierce into the eye, which had thus a very narrow escape from injury.

As regards the Dacca Central Jail, the description I have given of the treatment of Maulvi Gholam Jelani is enough. In other jails of Bengal the conditions are similar. In almost all cases and in every jail these illiterate warders, probably under the instruction of the authorities—I do not say under the instruction of the Hon'ble Member in charge of the Department—unnecessarily poke them and annoy them. I must give a warning to the Hon'ble Member that if things are allowed to go on in this way, I am afraid, there may be mutiny at Hijli and Dum-Dum jails. If the Hon'ble Member really means business, I hope he will visit the places in person and see for himself the state of affairs there and inquire into the allegations which I have mentioned. I would ask him to take two or three responsible members of the Council, of course regarding myself he will call me an irresponsible back-bencher. But I would ask him to take two Englishmen and two Indian members of this House with him and see things for themselves and judge the situation from the facts as they are. I am sure as regards diet and scarcity of water and other inconveniences from which the political prisoners suffer, they would be appreciated by the Hon'ble Member himself.

I would like to say a word with regard to the educated prisoners. If a prisoner is a graduate of the Calcutta University or if he is an M.A. or M.A., B.L., I think he can rightly claim to be classified at least in

Division II. Most of these prisoners now in jail are graduates, M.A.'s or M.A., B.L.'s. But unfortunately they have been placed in Division III——

(Here the member having reached his time-limit resumed his seat.)

Mr. ANANDA MOHAN PODDAR: Sir, the object of a cut motion on this head is to ventilate the grievances of the prisoners entrusted to the care of the jail authorities in Bengal. Whenever a person is sent to jail, he is detained there as a punishment but his detention is meant for the purpose of reformation of his character too. He is there because he has offended against the laws of the civilised society. Now, on entering the prison gate if he finds that the treatment meted out to him there is inhuman or unlike that he was accustomed to receive outside, his mind revolts and there remains hardly any room for his reformation. This only embitters his mind. Moreover, the punishment awarded to him does not include any such suggestion that his health should be ruined. So he is entitled to claim such a treatment as may not injure his health. But what we find to-day is, that the inmate of the Bengal prisons receives such treatment as only embitters his mind and ruins his health. Not to speak of reformation, his jail life rather degrades him to turn up a sworn enemy of the authorities who are responsible for his degradation. Sir, year after year the grievances of the prisoners are brought to the notice of the authorities on the floor of this House. But they are seldom paid any heed to. The prisoners of Bengal are not properly dressed; it can hardly hide their shame; no pillows are given and the blankets are quite insufficient and insanitary. As if to bring home the rigours of jail life and to ruin their health, no mosquito curtains are supplied. The prisoners' diet consists of course rice and unwholesome vegetables, fish which is a necessary adjunct to a Bengali dish is rarely supplied to the prisoners; the accommodation provided for in most of the jails is quite inadequate, and facilities for interviews and letters to the relatives and friends are far from satisfactory. Most of the respectable prisoners are placed in division III, though the trying magistrates may recommend for higher classes, perhaps to let the prisoners feel the horrors of the jail life. I do not like to enlarge the catalogue of the prisoners' grievances—but one thing I wish to draw particular attention to—it is the utter indifference with regard to religious scruples, specially that of the Hindu widows who happen to be inmates of His Majesty's jails. As you are aware the Hindu widows lead a very secluded life and are too particular about their diet and religious rites. Any interference with these scruples simply mortifies them and creates utter helplessness in their minds. So special care should be taken in dealing with the Hindu widow prisoners. The treatment meted out to other female prisoners also should be quite different from that of the males. I do not suggest that they should be given pampered treatment but they should always

be given privileges of special class prisoners. Their health should be properly maintained and the moral side also should be protected. Better facilities should be given to them for interviews and more opportunities for writing letters.

Sir, unfortunately I find nowadays a very large number of ladies and gentlemen have decided to break laws which they call unjust. They are led to do so by a patroitic fervour and as a result they are thrown inside prison bars. The situation created by these persons entering the jails is a peculiar one. They themselves do not care for comforts and privileges in their jail life—in fact they never plead for being placed in an upper class—they remain satisfied till their self-respect is not wounded in any way. But their entrance into the jail has brought down a tremendous responsibility on shoulders of the Government. The jails being usually a place for hardened criminals, the authorities therein are accustomed to behave in a manner as may be needed for the maintenance of discipline. But if the political prisoners are also treated in a similar manner the result becomes disastrous. These persons refuse to be treated as criminals and the jail authorities are faced with protests and troubles off and on. For this reason, I submit, Sir, the treatment to the political prisoners and the ordinary criminals should be different. Unless and until you do that, the feelings in the country remain embittered and the Government become unpopular.

Sir, after all, the prisoners are only human beings and they require to be treated as such. Of course there are criminals and the dregs of the society in jail—but whatever they may be, they are not beasts and should not be treated as such.

In conclusion, I would like to emphasise that the treatment meted out to them should be befitting a civilized Government.

With these words I like to support the motion of my esteemed friend Mr. Maiti.

5-30 p.m.

Mr. H. BIRKMYRE: Sir, I regret that I cannot speak with exhaustive knowledge on prisons and prison work, but the speech of my friend to my right strikes me that there are one or two points that should be brought out. The political prisoners and their grievances have been very largely dilated on, but it occurs to me that there are one or two points, which have been missed by the movers which should be mentioned. It is quite clearly laid down in the Jail Code the exceptions to be made in the case of special class prisoners and under this head come people who have committed crimes of violence and political crimes such as sedition. Now, Sir, we have heard a great

deal about the grievances of the prisoners in the Dum-Dum Special Jail. I am not a jail visitor, but I have been in communication and conversation with several jail visitors and I have equal justification with my friends opposite in accepting the information I have received as correct. The information that I have received is that these jails are extraordinarily good and that the political prisoners have an extremely easy time there. They are well-housed and well-fed, and they have a lot of privileges which, I am afraid, are abused and made avenues for transmitting to this Council complaints which take up time which might otherwise be spent in constructive legislation. Well, Sir, on the subject of these political prisoners, might I draw a comparison between the lot of political prisoners in this country and the lot of such prisoners in two of the largest European countries—France and Russia? French political prisoners are deported to Cayenne, and from what one hears of the conditions there, it seems it would be better for them if they were quickly done away with. Then we come to Russia, of which we hear so much as being the ideal land—the land which is going to be the model of all the democracies in future. Now, Sir, they are very quick and short in their treatment of political prisoners. There is in the Cheka Building in Moscow a certain room which is called the "Engine Room" in which political prisoners are dealt with and I believe it is a very quick and short way. Now, Sir, we all know that under the Tsarist Regime they used to send all political prisoners to Siberia and I do not imagine that there is anybody here who would for a moment like to compare that sort of treatment as against the treatment that political prisoners receive in this country. Last Saturday, Sir, we listened to an extraordinarily fine debate in this Council and the speeches then delivered were of a very high level, and it seems to me that it is a deplorable drop to the discussion of the grievances, real or imaginary, of political prisoners. About ten days ago, we listened to a remarkably fine speech delivered by Mr. Bannerjee. It was on a similar subject and Mr. Bannerjee spoke very forcibly and most appealingly about the importance of educating public opinion in Bengal. We want to educate public opinion; and by doing so, it seems to me that we would be able to do far more for the country we live in and far more in bringing provincial autonomy, the goal which we are all seeking to attain, much closer if we were to join hands to get this political trouble settled by all sections of the communities combining to get a really educated public opinion, we should be able to make political crimes and political agitation so out of date in a very short while that we should be able to open the prison-doors and release all political prisoners.

Babu SATYENDRA NATH ROY: Sir, at the outset I must admit that my knowledge of jails is very limited because I have been a non-official visitor since June last. Of course, much depends on the

personnel of the jail staff in which the prisoners are lodged. I may say, however, that in the Alipore Central Jail of which I am a non-official visitor we have got a very sympathetic Superintendent. On the 9th March last I visited the Jail and there were about 450 division III political prisoners. I asked them what I could do for them. All of them were educated men and they did not care for asking for any comfort because they said that they had gone to jail of their own accord. There was only one thing which they impressed upon me and that was the supply of mustard oil for bathing purposes. I understand that this is allowed to division I and II prisoners but not to division III prisoners. The Hon'ble Member himself being a Bengalee knows very well that mustard oil is quite essential for bathing purposes for Bengalees and the way they impressed the matter upon me showed that it was a legitimate grievance of theirs as they felt its want much.

There is another thing about which I was told by a division I prisoner whom I know personally. He told me that divisions I and II prisoners have nothing to do after six O'clock and are locked up in their wards. It was suggested that they might hold, say, for 2 hours a sort of primary class for ameliorating the condition of ordinary prisoners. Sir, these are the two items which I would place before the Hon'ble Member for his consideration.

Dr. NARESH CHANDRA SEN GUPTA: Sir, in the first place I must say that I have no personal knowledge of jails; and in the second place I should say that, whatever I may talk here must not be misunderstood as the plea of an advocate of the people who are in jails. On a previous occasion my friend, Mr. Jitendralal Bannerjee, warned us against any attempt to advocate the cause of these prisoners. I do not. Well, Sir, I approach the question from the point of view of the humanitarian and looking at the matter from that point of view, it strikes me that the conditions in jails for all prisoners and not only political prisoners are capable of improvement. Now, Sir, Mr. Birkmyre assures us that things were swimming at Dum-Dum and that the prisoners were having a very good time. Mr. Hashemy gave us chapter and verse of particular instances of grievances of such prisoners as were kept there. It strikes me that both of them may be right. The general conception that Mr. Birkmyre has got may be perfectly true and that the specific complaints mentioned by Mr. Hashemy may be true all the same. As a rule, I should say that, so far as Government is concerned, the system is not open to very great criticism, but the way it is worked out in particular instances is certainly open to question. Well, Sir, one of the things about which I have got more definite knowledge and a matter about which I am able to speak with some assurance is the matter of classification of prisoners. The principles laid down by Government are not being

carried out and I say this without fear of contradiction because I happen to know of the cases of a number of persons—persons very high-placed in life—who have not been convicted of any offence for which they might be placed even in division II, but they have all been placed in division III. Well, I have not studied the Jail Code with that amount of care with which some others have studied it but I have listened to the exposition of the principles of the Jail Code in this matter from such an able advocate as Sir P. C. Mitter and I have borne that in mind. According to that exposition, I should say that a person belonging to high class of society who has committed an offence which is in non-technical language considered to be a real offence, is liable to be placed in division II, whereas a person of the same class, if he has not committed such an offence, is placed in division I; and division III is for persons who do not belong to the higher classes. If that is the principle of classification, may I ask on what principle Mr. Birendra Majumdar of Dacca, whose respectability, I suppose, will not be questioned and who was a member of this House some time ago, has been placed in division III? On what principle again, have the sons of Mr. Akhil Chandra Dutt, one of the most respectable men in Tippera, been placed in Division III? I should like to know also, incidentally, why these young men, as well as Birendra Majumdar, were subjected to the further ignominy of being tied with ropes and marched to the jails handcuffed? Well, Sir, then again, there are some women convicts who have also been placed in Division III—women of education, women of very respectable family who have committed no heinous offence but only violating an order under section 144 forbidding the marching of a procession or joining a public meeting. On what principle, I ask, have these persons been placed in division III? I shall perhaps be told that they had not applied for being placed in a higher division. Similarly, there have been other ladies and gentlemen—a lot of them—who have been placed in division III and I am sure that the Hon'ble Member will not be able to justify the orders passed if they were taken up one by one even by a most generous interpretation of the Jail Code. Well, Sir, if that is so, the question is how far the Government are responsible for it. The Government have made their rules and have laid down certain principles and it is up to them to see that these rules and principles are correctly followed.

5-45 p.m.

It is no doubt true that the Magistrates in the first instance make their recommendations with regard to the classification of prisoners, but I understood from the statement made by the Hon'ble Sir Provash Chunder Mitter in this House that in every case in which the matter was brought to his notice, he would investigate it and set things right. I should go further and say that in every case of a political prisoner

it ought to be the concern of the Hon'ble Member to satisfy himself that the prisoners had been properly classified. I regret to say, however, that the position of the Hon'ble Member in charge of Jails in these matters is very different. This and other cases have been brought to his notice, and I have yet to learn that any action has been taken or inquiry made with regard to those persons who have been placed in Division III, without any inquiry. I am not going into the case of ill-treatment of prisoners in jail, because I have no personal knowledge of it, but at the same time I must say when we receive such information from persons who are responsible, it is very difficult to brush it aside simply on the assurance of the Government. We have had examples of the sort of information that Government gets from its subordinates in the now famous official communiqué in connection with the Hijli incident, and that is indicative of Government communiqués and statements of Government published merely upon the information of officers concerned. I submit, if Government really wants us to be satisfied that these allegations with regard to ill-treatment of prisoners are altogether unfounded, then it is bound to appoint an independent committee to investigate the matter, to give them facilities of visiting these prisoners in jail, and to satisfy us that all is well with them. Mr. Birkmyre has pleaded for a reasonable attitude on our part, and asked us not to waste our time over these matters, but to educate public opinion and create an atmosphere, a favourable atmosphere, to usher in provincial autonomy or responsible Government, or whatever it is. The atmosphere which is sought to be created will not be created so long as these persons who have been condemned to jail are not treated in the way which would bring them to the side of the Government when they come out. If they have a rankling sense of injury within them, no matter how eloquent we may be to persuade them that they ought to do this or that, the moment these prisoners are released and the story they tell the people about their treatment in jail, is believed, our eloquence would be futile. If we want to have peace in future, it is of the utmost importance in the first instance to placate the prisoners, make them satisfied that they have been well-treated in jail. If this is done, if they have been well-treated, well and good; if they have not been well-treated, woe unto the day when these men come out after Bengal gets its reformed constitution.

Babu SATISH CHANDRA RAY CHOWDHURY: I want to say a few words about what I have proposed in my motions. With regard to this question, it cannot be said that it is a proposal which we are bringing forward in this Council for the sake of creating a sensation. This question has been raised in this Council not for the first time, but for the third time. The first time this question was raised in

1930 at budget time, when Sir P. C. Mitter was good enough to tell us that this is a subject which really deserved our attention, and he admitted that when he took up the portfolio, this was one of the first items which struck him, and since then he had been investigating the matter, so this question of mosquito curtains is not a new question. This problem is a real one, not simply a figment of our imagination, and it is clearly admitted that it requires investigation, and the result was that in the budget discussion of 1930, we were told that the matter was under investigation in one jail, and that if it was successful it would be extended to other jails. But we were told at the same time that Dr. Bentley was of a little different opinion. He suggested not exactly an alternative remedy but an additional remedy, and he gave us to understand that if within a radius of half a mile from the jail all the breeding places of mosquitoes were attacked and disinfected, that would give a much better result at a much lower cost. He also gave us to understand that that is what he proposed to do as it involved very little expenditure, a nominal expenditure of Rs. 1,000 per jail. We expected that something would be done by about this time, but a few days ago we were surprised to hear in reply to a question raised with regard to the mosquito curtains for the Presidency Jail, that the Jail Code did not allow it. I do not know how the Jail Code has been interpreted, but we do think it is a real obstacle. Sir P. C. Mitter agreed that the matter required investigation and that investigation was being carried on. We have not yet heard the results of that investigation. We have not heard anything about the disinfecting or the killing of larvæ. No information has been given to us whether that investigation was carried out and whether the result was successful or not. It may be said that funds will not permit of this investigation. But this is a question on which there is no difference of opinion and on which we are all agreed that these jail prisoners ought to be guarded against an attack from malaria. The question of funds should not stand in the way. Dr. Bentley's proposals involved a very nominal expenditure. If you cannot spend anything, if you have no funds—it is your perpetual answer that there is no fund,—I do not understand what useful purpose will be served by the Hon'ble Member sitting there being in charge of the portfolio. He can vacate his office and save the amount of his salary which might be spent towards the comforts of the jail population. We want to be earnest and we want to begin work at once. We have information that this year some prisoners at Dum-Dum were attacked with malaria and had to be removed to the Presidency Jail, and one of the cases ended fatally. These mosquito curtains are a necessity in many of the jails where malaria is rampant; that is a question which really needs attention more than anything else. We have been told that the health of the jail population is all right. It is not only a question

of preventing the causes of malaria, but it is a question of giving these prisoners as much comfort as they are entitled to. They cannot have proper sleep without mosquito curtains and want of sleep certainly does affect their health. The Hon'ble Member was simply saying that the Jail Code did not allow it, but we say we will not tolerate the prisoners being bitten by mosquitoes. You may change the rules if necessary. We should like to know what is being done in the light of the results of the investigation that has already been made. We will not be satisfied merely with the statement that the Jail Code does not provide for any attempt being made in that direction. Anyway, the people will not be satisfied until they are told of the results of that investigation.

Then with regard to the oil. I believe we had an answer from Sir P. C. Mitter in 1931, when I raised that question. If all the European prisoners in jail are supplied with soap, I think certainly oil should also be supplied to Indian prisoners. Oil is a necessity for Indians and there is no sense in denying them the use of it, the cost is very nominal, and we had an assurance that an order would be issued in that direction. Now we hear from one of the members that in one jail, oil is not being allowed to be used. Surely the assurance of the Member ought to have some value, and we should not have to come again and again to this House with the same question.

With regard to their diet, I think there is room for improvement, and it will not cost more to have a little more supervision. What happens in the jail is this: The prisoners are served with their diet about 12 o'clock when the Superintendent is off duty. I suggest that the hour should be changed from 12 to 11 when the Superintendent, who is a reliable officer, is present and can hear complaints. At present all the complaints are made to the jailor or the deputy jailor, which is simply a cry in the wilderness. With a little more attention and a little more supervision, the Hon'ble Member can do much in the way of removing these complaints. We have heard it said by one European member to-day that our jail population is much better treated than in Russia or France. The answer to that is that India is not Russia or France; in Russia they have their compensating advantages, it is the majority of the people who rule there; but here in India we are not ruling but being ruled. Our grievances and complaints are as many and as various as are unheard of in those countries. Comparison between India and Russia and France is odious and lacks a sense of humour on the part of those who make them.

Maulvi TAMIZUDDIN KHAN: I have a similar motion. May I not move it now, or would it be taken up separately?

Mr. PRESIDENT: In the present case, I have decided not to take up all the similar motions together because they are many in number and such a procedure will shut out various other intervening items of interest.

6 p.m.

Mr. SYAMAPROSAD MOOKERJEE: In rising to speak on this motion, I should first of all state that I am in entire agreement with the point of view expressed by my friend Dr. Naresh Chandra Sen Gupta, namely, that the Jail Code itself makes ample provision for most of the contingencies that we have been discussing for the last half an hour, but the real trouble arises on account of the manner in which the provisions of the Jail Code are actually applied in practice. Sir, as an illustration I would like to refer to the question of mosquito curtains. The Hon'ble Member will recall that some time ago a suggestion was made that mosquito curtains might be allowed to be sent to the prisoners at Dum-Dum Jail by outsiders not in the name of any particular individual prisoner but sent for the benefit of the prisoners as a whole. Some technical objection, Sir, to this proposal was then raised that such curtains were being sent by persons who were neither relatives nor friends of the particular prisoners. Sir, to put it mildly that was a highly technical objection which is perhaps known only in a court of law. But I must here acknowledge that when the matter was brought to the notice of the Hon'ble Member himself, he at once looked into it and issued necessary directions allowing the use of such mosquito curtains.

I appeal to the Hon'ble Member to consider, if he has not considered this already, whether he should not apply this principle in the cases of jails other than the Dum-Dum Special Jail.

The Hon'ble Sir B. B. GHOSE: This has been done for all jails and that was done simultaneously.

Mr. SYAMAPROSAD MOOKERJEE: That is one piece of good news which will please every member of this House. I mention this just to illustrate the point which was raised by Dr. Sen Gupta that perhaps the Jail Code was not always defective, but the real trouble arose on account of the unsympathetic way in which the details were being administered by the local officers. Sir, we would like to know from the Hon'ble Member when he makes his reply as to the steps that Government has taken with a view to supply mosquito curtains to the prisoners. This question was discussed on the floor of the House last year and an assurance was given by the then Member-in-charge to which our attention has been drawn by Mr. S. C. Ray Chowdhury.

There is another specific complaint which has been made by my friend, Maulvi Syed Jalaluddin Hashemy, to which I would invite the special attention of the Hon'ble Member; that is about the scarcity of water in the additional jail at Hijli, which raises a very serious issue.

The Hon'ble Sir B. B. GHOSE: Instructions have been issued to the Public Works Department officers and probably this has been done by now.

Mr. SYAMAPROSAD MOOKERJEE: Sir, it has been stated by Maulvi Syed Jalaluddin Hashemy that the total allowance for cleansing, washing, bathing and drinking seems to be less than one gallon per day per person. If this is true, it discloses a very serious position, and I hope the Hon'ble Member will please see that the matter is rectified.

Sir, there is just one point which arises from the speech which Mr. Birkmyre delivered a few minutes ago. We are very much interested in the way in which he concluded his speech. But I am afraid, Sir, his reference to Russia was rather ill-chosen. Mr. Birkmyre seems to say "look at these jails in this country, they are like so many heavens compared with the jails in which the political prisoners were kept in a country like Russia." It may be so, or it may not be so. I have no experience of what happened in Russia and I am sure Mr. Birkmyre has no such experience. But does Mr. Birkmyre or any of his friends sitting on those benches actually desire that we should witness things in India as have been witnessed in Russia? If Mr. Birkmyre's point of view is that there has not yet been ample or sufficient repression in this country, well I would say that Mr. Birkmyre has to wait for a few years longer and will realise what the serious consequences of the present policy may lead to. But, Sir, I have no quarrel with him because, as I have said just now, he ended with a very conciliatory note. I think there is no difference of opinion as to the question that all of us desire to bring this present state of things to an end, but that involves a discussion of the general problems which do not come within the purview of the present motion. But, Sir, one point that I would ask hon'ble members to bear in mind is that these prisoners who are called political prisoners cannot be compared with the ordinary prisoners who are to be found in every country. There is no doubt, Sir, that they do occupy a special position and as such special recognition has been given to them by the Government itself by having special rules for classification and other things. Sir, there is no doubt that the laws, the special laws which are now found in operation, are of an exceptional character, and persons who break them are not thereby lowered in the estimation of the public. It is in the interest of Government to see that these prisoners are

properly treated, for I suppose it is nobody's intention that they should be kept in jail for ever; and when they come out, it will be in the interest of Government itself if they come out not with greater feelings of animosity or hatred towards Government than what they happen to entertain just at the present moment. For, it has been well said that political prisoners of to-day are very often the pillars of the state to-morrow.

Maulvi TAMIZUDDIN KHAN: Sir, I would like to say a few words particularly in reference to certain matters which I would have liked to raise in connection with some other motions but which may be raised as well in connection with the motion now under discussion. It is almost an admitted fact that the failure of the Government to supply mosquito curtains to division III prisoners is a matter of great regret. The argument which is very often advanced from the Government side, is that it will entail a good deal of cost so much so, that it is not possible under the present circumstances to comply with this demand. Sir, so far as that argument is concerned, I do not think that it is at all a sincere argument, because we have seen, that when necessary, Government cannot only spend more money but can spend even double the amount that is ordinarily spent on the jail administration. We have seen that under the present circumstances which are no doubt of an extraordinary nature, the expenditure under the head "Jail" has enormously increased and Government has to find enormous additional sums for the administration of jails. Now the thing is, that the Government does not consider the question of supplying mosquito curtains to prisoners as of very great importance. Had it been so, it would not have been impossible to find out the money necessary for the purpose. But this is a question on which the feeling of the country is very very strong and I think it is not advisable at all on the part of the Government to delay a practical decision of this question any longer. Even admitting that it is not possible for Government to supply sufficient funds just at present to meet this demand in full, the Government can very well adopt a progressive policy so far as this question is concerned. Some of the worst areas may be chosen and in the jails in those areas, the Government can make provision for the supply of mosquito nets. In that way, in the course of a few years, Government will be in a position to supply mosquito nets in all jails or at least in those jails where it is absolutely necessary. I hope the Hon'ble Member-in-charge will consider this aspect of the question.

Now, I would like to say a few words about another question,—the treatment that is meted out to political prisoners. Under the present Jail Code, political prisoners who are classed division III, cannot be called political prisoners. Whatever that may be, I have

seen with my own eyes that prisoners who have a high status in society, for example, doctors, pleaders, distinguished graduates, have all been classed as division III prisoners and I found in the Faridpur Jail particularly that these division III prisoners are not allowed to use even their sandals. Government will not supply them with shoes or sandals but even if they make a request to the jail authorities that they should be allowed to bring their sandals from outside, that too is not acceded to on the plea that there is no such provision in the Jail Code. I submit, Sir, this is a very serious matter that gentlemen with a high status in society should be compelled to move about in jails without their shoes or sandals on. If Government has no money to supply shoes to these prisoners, I cannot understand why they cannot be permitted to bring them from outside. There may not be any provision in the Jail Code, but is it not high time that the Jail Code should be amended so far as these matters are concerned? It is also a common complaint nowadays that these prisoners are not given a little mustard oil for besmearing their persons. It is a crying complaint of Indian prisoners. Sir, many of these prisoners can very well get a supply of oil from outside but that is also not allowed under the Jail Code. I think, Sir, that so far as these matters are concerned, the Jail Code can be easily amended, or a more liberal interpretation may be put upon the provisions of the Code. Then Government can easily do without creating discontent amongst the prisoners, and that also without any expense of Government funds, simply by permitting prisoners to get a supply of these things from outside. This is a matter which also deserves serious consideration on the part of the Hon'ble Member-in-charge.

With these few words I support the motion.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-25 p.m.]

Maulvi SYED JALALUDDIN HASHEMY: May I put a question to the Hon'ble Member? It is this: in view of the financial crisis and in view of the large number of political prisoners daily pouring in and in view also of the status and education of these political prisoners, will the Hon'ble Member kindly see that division III prisoners are allowed to use their own clothings and use their own mustard oil supplied from outside? Also,——

Mr. PRESIDENT: I cannot allow you to proceed any further, it would be making another speech. You have put your question and I think the Hon'ble Member will answer it if he thinks fit.

Maulvi SYED JALALUDDIN HASHEMY: It is a very short one and it is this: Will he also very kindly see his way to relax the rule about mosquito curtains in respect of class III prisoners, so that they may get some comfort?

Mr. PRESIDENT: Order, order.

Mr. C. C. COOPER: My only apology for speaking to-night is the fact that I have been a jail visitor for quite a number of years. I have taken an interest in jails and in jail administration. Every time I visit a jail I am a pessimist for the rest of the day, but I can honestly say that within recent years there has been a considerable improvement in the general administration of jails. I have frequently discussed the question with jail superintendents past and future, and with the Hon'ble Sir P. C. Mitter I had many interesting and instructive discussions. The mover of the motion has made specific complaints that the arrangements for food are generally bad. When I go to a jail I do not go at any stated time; I pop in at any hour of the day when I am not expected nor do the jail authorities know that I am coming; I have been there when the food was being prepared, when the food was being served, I have frequently tasted the curry and I can truthfully say that it was extraordinarily good. That the food supplied is not bad but good is proved by the fact that the prisoners' weights improve. Many gentlemen will agree with me that the prisoners are much better off in prisons than when they are out of them. That refers more particularly to the ordinary prisoners.

As regards political prisoners, referring to Babu Satish Chandra Ray Chowdhury's comments on Mr. Henry Birkmyre's observations on Russia and France, I think Mr. Birkmyre's point was that political prisoners in India are extremely fortunate in being under the British Government who treat them with fairness, in a spirit of justice and do not carry out anything in a spirit of *zid* against them. In Russia and France the opposite is the case; right or wrong, a political prisoner in any one of those places is always in danger of losing his head!

Maulvi SYED JALALUDDIN HASHEMY: What about England?

Mr. C. C. COOPER: I have been in some British prisons and I can say this that conditions in Bengal compare on the whole favourably with conditions prevailing in England.

But reverting to the point under discussion, I am voicing the feeling of a very large number of Europeans in this country as also of many Indian gentlemen, that the treatment meted out to political prisoners in India, is really far too good. The treatment accorded to them is an incentive to them to go to jail and speaking as a visitor to jails, I may

say that inside the jail they are much too well off. They are not treated as prisoners at all; they receive excellent treatment. I have seen detenus in jails supplied with a whole library of books, illustrated papers, daily papers and every conceivable literature. They are not prisoners at all; they are merely under restraint. They have nothing to do and they fill up their time manufacturing imaginary grievances. They have nothing else to do! There is a feeling abroad (a feeling to which I do not subscribe) that they are not well treated when they go to jail! I cannot understand this feeling when such humanitarian treatment is meted out to political prisoners. I think it is admitted that too much sentiment is allowed to sway public opinion as to the treatment of these people. From my own personal observation I can say that they are quite well treated and I do not think it could be bettered in spite of a lot of inflammatory speeches that have been made, voicing all sorts of imaginary grievances! It is possible that regrettable incidents do occur in certain jails but when you are dealing with thousands of these prisoners every day of the week, and when the jail administration is not organised to cope with such a vast number, it is quite likely that in some instances regrettable incidents will occur, but I do maintain that the spirit of making the exception the rule, is not fair but is definitely wrong.

Mr. B. C. CHATTERJEE: In the first place I would make an appeal to the Hon'ble Member to see that political prisoners are not sent to division III. I shall be much obliged if the Hon'ble Member will kindly give us an assurance that men who are sent to jail on charges of having participated in the civil disobedience movement or other charges of a political nature are not sent to division III. These men are not criminals in the sense in which we understand the word. A criminal act must be a self-regarding act, but in this case their acts are quite unselfish, although looked at from your different points of view they may be such acts as you may not agree with. They are altruistic and selfless acts and this is what marks them off from the acts of an ordinary criminal.

There is only one other matter. With regard to the central and additional jails I find that there are no M.L.C. visitors, and I suggest that it would be of very great help if members of this Council were made visitors to the additional jails.

The Hon'ble Sir B. B. GHOSE: With regard to the remarks of my friend Mr. B. C. Chatterjee that M.L.C.'s should be made visitors to central jails and additional jails all I can say at present is that I will consider his suggestion if any M.L.C. will express his willingness to act.

I may say at the outest in answer to many of the statements that have been made by different members of the House that the Jails Department does not consider any prisoner as political prisoner. This department

deals with prisoners as prisoners only. They are not treated either with greater severity than ordinary prisoners or with greater leniency. The divisions made according to the rules in the Jail Code are not with regard to the offence committed but with regard to the status and social position of the prisoners; but in certain cases it is laid down that no prisoners should be placed in class I, and such cases are when one has been convicted of a heinous crime. The division of prisoners into classes is primarily the duty of the trying magistrate, and where a trying magistrate is not aware of the status or social position or education of the prisoner concerned—as I said in answer to a question put to me some time ago in this session—the trying magistrate has no option but to place him in class III.

6-45 p.m.

Information reached me with regard to certain classifications when the magistrate has said that prisoners do not give him facts for the purpose of classifying them in a higher division than division III. Then the usual practice is that if any prisoner makes an application stating his position as required by the Jail Code, it comes through the proper officials and these are considered and the prisoner is placed in a higher division in a proper case. Probably hundreds of such applications come and the prisoners are raised to a higher division. In many cases the prisoners themselves do not choose to make any application; perhaps they think that having come to jail, as Mr. Satyendra Nath Roy has said, on a question of principle, they are prepared to suffer and on that principle they do not choose to make any application for being placed in a higher division. But in many cases their relations come forward and say that such and such prisoners have been placed in a lower division and that they should be placed in a higher division. Ordinarily those applications are not considered, because we do not know about the temper of the prisoners, as they might not be agreeable to be placed in a higher division. I have been informed of one particular case in which the prisoner, who was sought to be placed in a higher division, said that unless his fellow prisoners in the jail were placed in a higher division, he was not prepared to be promoted to a higher division. Under these circumstances, I do not think it is wrong for the Jail Department to insist usually upon a petition being made by the prisoner himself or herself, for being placed in a higher division and such petitions are considered carefully.

The next question which I think I should deal with is the question of ill-treatment of prisoners. If there is any complaint of ill-treatment that is inquired into and proper steps taken. But, as a matter of fact, during my period of office I have never heard of any ill-treatment of prisoners by warders. Only one instance was brought to my notice

yesterday and steps are being taken with regard to that case. On the other hand, we have received applications from different persons, for instance, with regard to Dum-Dum Special Jail, that prisoners there make great noise to the great inconvenience of the residents near about. These prisoners are not always very law-abiding, as my friend Mr. Hashemy will be able to tell us. Instances have occurred, for example, when the Inspector-General of Prisons visited a special jail, he was treated in such a way that he had to take disciplinary action. If these civil disobedience prisoners had acted always with due regard to the Jail Code rules and had treated the jailors in the ordinary way, then there would have been no complaint whatsoever of ill-treatment in these jails. As a matter of fact, the jailors in the Bengal jails, other than the Presidency Jail, are our own countrymen and they have no incentive to treat any person of *bhadralok* class or of the labouring class in a bad way.

With regard to the difficulties that have been brought to my notice about the want of water-supply in the special jail at Midnapore, it was brought to my notice about a fortnight ago and proper steps have been taken. I dare say, fresh supply of water has been procured. With regard to other jails in which there has been difficulty of water-supply, it was due to the municipality repairing their reservoir, and that difficulty has since been remedied and the prisoners are now supplied with sufficient water for their ordinary purpose. I may say that in Midnapore there is always scarcity of water.

Having regard to the one minute time that is at my disposal I will only say a word about the women's dress. Mr. Hashemy said that it is indecent. I do not know why he said that. Two *kurthas* and *saris* are supplied to them. The *sari* formerly used to be 42 inches wide and now it is 44 inches.

[Here the time-limit for the discussion of the grant under the head "25—Jails and Convict Settlements" was reached and the Hon'ble Member resumed his seat.]

The motion of Mr. R. Maiti was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hasaan.
Banerji, Mr. P.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chatterjee, Mr. B. C.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Nural Absar.
Faziullah, Maulvi Muhammad.
Ghose, Dr. Amulya Ratan.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Khan, Maulvi Tamizuddin.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprasad.
Poddar, Mr. Ananda Mohan.
Rahman, Maulvi Azizur.
Rai Mahasai, Manindra Deb.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Nagendra.
Roy, Babu Satyendra Nath.
Sen Gupta, Dr. Naresh Chandra.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Armstrong, Mr. W. L.
Austin, Mr. J. M.
Baksh, Maulvi Shaik Rahim.
Bal, Babu Lalit Kumar.
Bartley, Mr. C.
Birkmyre, Mr. H.
Blandy, Mr. E. M.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Nafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Faweus, Mr. L. R.
Gangali, Rai Bahadur Susil Kumar.
Ghose, the Hon'ble Sir B. B.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kasem, Maulvi Abul.
Kerr, Mr. W. J.
Khan, Maulvi Amin-ur-Zaman.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Leesen, Mr. G. W.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Miller, Mr. C. C.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Ray Chaudhuri, Mr. K. C.
Rees, Mr. J.
Roy, Mr. Saileswar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rabati Mohan.
Sen, Mr. B. R.
Suhrawardy, Mr. H. S.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.
Wordsworth, Mr. W. C.
Worthington, Mr. R. H.

The Ayes being 25 and the Noes 52, the motion was lost.

The motion that a sum of Rs. 48,95,000 be granted for expenditure under the head "25—Jails and Convict Settlements" was then put and agreed to.

The following motions under the head "25—Jails and Convict Settlements" were not called owing to the expiry of the time-limit:—

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 11,13,250 under the head '25A.—Jails—District Jail—Dietary charges' be reduced by Re. 1 (to draw attention to the character of the diet served to prisoners)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 11,13,250 under the head '25A.—Jails—District Jails—Supplies and services—Dietary charges' be reduced by Re. 1 (to express disapproval of the contract system)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 23,33,000 under the head '25A.—Jails—District Jails' be reduced by Rs. 100 (to raise a discussion on the Hijli Detention Camp shooting incident and the Government inquiry)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 23,33,000 under the head '25A.—Jails—District Jail' be reduced by Re. 1 (more food for third class prisoners)."

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 27,06,566 under the head '25A.—Jails—Supplies and services' be reduced by Rs. 1,000 (to raise a discussion about the Division III political prisoners with regard to their diet and clothing—particularly female prisoners)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 27,06,566 under the head '25A.—Jails—Supplies and services' be reduced by Rs. 100 (to disapprove of the policy of not permitting Division III prisoners the use of clothes and beddings supplied from outside)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 27,06,566 under the head '25A.—Jails—Supplies and services' be reduced by Rs. 100 (to draw attention to the sufferings of Division III prisoners for not being provided with mosquito curtains)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 27,06,566 under the head '25A.—Jails—Supplies and services' be reduced by Rs. 100 (to draw attention to the discontent prevailing amongst the civil disobedience prisoners of Division III in the Faridpur Jail on account of the impression allowed to prevail amongst them that the food supplied to them does not strictly conform to the scale of dietary prescribed by the Jail Code and on account of permission being withheld for the use of clothes and beddings supplied from outside)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 4,72,100 under the head '25A.—Jails—Contingencies' be reduced by Rs. 50 (supply of mosquito curtains and oil to prisoners)."

Mr. P. BANERJI: "That the demand of Rs. 60,000 under the head '25A.—Jails—Charges for Police custody' be reduced by Rs. 101 (to raise a discussion about the treatment of prisoners)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs 1,38,000 under the head '25A.—Jails—Charges for the Bengal Ordinance Act detenus in jails outside Bengal' be refused."

Mr. SHANTI SHEKHARESWAR RAY: "That the demand of Rs. 1,38,000 under the head '25A.—Charges for the Bengal Ordinance Act detenus in jails outside Bengal' be reduced by the sum of Rs. 100 (to raise a discussion about the discomforts of the detenus and press for the appointment of non-official visitors from Bengal)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 10,00,000."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That tha demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 1,000 (general policy with regard to the classification of political prisoners)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 1,000 (to raise a discussion about jail administration generally)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 1,000 (general policy with special reference to charges for moving prisoners by Railway Warrants, charges for moving prisoners, charges for the Bengal Ordinance Act detenus in jails outside Bengal and a few special references to incidents)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 1,000 (policy of granting interviews and medical treatment)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 500 (on the grounds that the religious scruples of the prisoners particularly of the Hindu widows as to dining are not observed in jails and facility for performing rites are not allowed)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 101 (to raise a discussion about the Policy of Jail Administration)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 100 (harassment of women political prisoners in the course of transfer)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 100 (to raise a discussion on the classification and treatment of prisoners in jails)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 100 (to draw attention to certain defects of the jail administration)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 100 (to urge the necessity for the supply of mosquito curtains in jails to all classes of under-trial prisoners)."

Babu HEM CHANDRA ROY CHOUDHURI: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 100 (to raise a discussion about Government's failure to remove public grievance about the classification of prisoners convicted of political offences)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Rs. 100 (grievances of prisoners regarding diet, accommodation and no provision for mosquito curtains)."

Mr. J. N. GUPTA: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Re. 1 (to raise a discussion on the necessity of following generally a more conciliatory policy to enable a reduction in the provision made for detenus and the civil disobedience movement)."

Babu HARIBANSA ROY: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Re. 1 (to draw attention to the unsatisfactory state of affairs in the Dum-Dum Jails)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Re. 1 (to raise a discussion on the unsatisfactory management of jails and treatment of prisoners)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 45,00,000 under the head '25A.—Jails' be reduced by Re. 1 (increase in the number of Muhammadan officers)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 3,91,000 under the head '25B.—Jails manufactures' be reduced by Re. 1 (increase in the number of Muhammadan officers)."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 48,95,000 under the head '25.—Jails and convict settlements' be reduced by Rs. 100 (in order to discuss the administration of special jails)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 48,95,000 under the head '25.—Jails and convict settlements' be reduced by Re. 1 (to discuss the policy in general)."

Mr. P. BANERJI: "That the demand of Rs. 48,95,000 under the head '25.—Jails and convict settlements' be reduced by Re. 1 (to raise a discussion on the action of the Government in placing the department under temporary incumbent so frequently)."

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 23rd March, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 23rd March, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 110 nominated and elected members.

Starred Questions

(to which oral answers were given).

Crops to be substituted for jute.

*156. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*i*) the cost incurred by Government in the propaganda work for the restriction of jute cultivation in 1931;

(*ii*) if possible, what portion of the resultant restriction the Government estimate was due to—

(1) the propaganda work; and

(2) the prevailing low price of jute?

(*b*) Have the Government thought out any scheme for enlightening the cultivators as regards cultivation of other "money-bringing" crops in place of jute in the areas released from jute crop?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the details of the scheme; and

(*ii*) how do the Government intend to give effect to it?

(*d*) If there is no scheme before the Government, will the Hon'ble Minister be pleased to state whether the Government propose appointing a committee forthwith to go into the question of effecting an improvement of the economic position of the cultivators and to suggest ways and means?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab K. G. M. Faroqui, Khan Bahadur): (*a*) (*i*) Rs. 2,530, on account of cost of printing of leaflets, etc.

(*ii*) It is not possible to furnish the information. Government do not claim that the reduction was solely due to their propaganda, but this propaganda undoubtedly played a large part in bringing home the lessons of the slump to the cultivator.

(*b*) and (*c*) Yes. Along with the memorandum explaining the situation and advising restriction of cultivation of jute leaflet No. 7 of 1930 issued by the Agriculture Department advising the cultivators as to the crops which would be substituted for jute, was widely distributed. A copy of the leaflet is placed on the Library table.

(*d*) The question does not arise.

Babu SATISH CHANDRA RAY CHOWDHURY: With reference to answers (*b*) and (*c*), will the Hon'ble Minister be pleased to state whether beyond giving advice gratis any practical guidance has been given to the cultivators as to the desirability of sowing seeds other than jute?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: The member is referred to the memorandum which contains all the information.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state the agencies through which propaganda work was carried on?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Government officials and local bodies.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state whether teachers were employed for carrying on propaganda work in *hats* and bazars, and important centres of jute trade?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: I have no information whether teachers were employed.

Forest area and personal assistants attached to circle officers of Bengal.

***157. Rai SATYENDRA KUMAR DAS Bahadur:** Will the Hon'ble Member in charge of the Revenue (Forests) Department be pleased to state—

(*i*) the total forest area of Bengal as compared with that of Assam;

(*ii*) the number of circles and divisions in these two provinces of Bengal and Assam;

(*iii*) the number of personal assistants attached to the circle officers of Bengal;

(*iv*) what are the qualifications of the said personal assistants; and

(*v*) when they are due to retire?

MEMBER in charge of REVENUE (FORESTS) DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (*i*) A statement is laid on the table.

(*ii*) In Bengal there are two circles divided into ten divisions. In Assam there are two circles with eleven divisions, but the post of one Conservator has been temporarily abolished.

(*iii*) One.

(*iv*) He passed the Entrance examination of the Calcutta University, the Second Grade Teachership examination in Burma and the Burma Clerkship examination.

(*v*) He may be required to retire in June, 1932.

Statement referred to in the answer to clause (i) of starred question No. 157, showing the forest area in Bengal as compared to that in Assam.

	Reserved Forest.	Protected Forest.	Unclassed Forest.	Total Area.
	Square miles.	Square miles.	Square miles.	Square miles.
Bengal	6,506	673	3,445	10,624
Assam	6,153	Nil	14,829	20,982

Rai SATYENDRA KUMAR DAS Bahadur: Will the Hon'ble Member be pleased to state, with reference to reply (*ii*), whether in view of the smallness of the area in the table as compared with Assam, Government contemplates reducing Circle I as has been done in Assam? If not, why not?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I would ask for notice.

Rai SATYENDRA KUMAR DAS Bahadur: Will the Hon'ble Member be pleased to state whether the qualification stated in clause (*iv*) is sufficient for the post of Personal Assistant to the Conservator of Forests?

Mr. H. C. V. PHILPOT: Yes, I think so.

Rai SATYENDRA KUMAR DAS Bahadur: With reference to answer (*v*), may I know how many extensions were granted to this Personal Assistant?

Mr. H. C. V. PHILPOT: So far as I know, he has not been granted any extension.

Distress in Tangail.

***158. Maulvi NUR RAHMAN KHAN EUSUFJI:** Will the Hon'ble Member in charge of the Revenue Department he pleased to state what steps have been taken by Government up to date to alleviate by agricultural loans, test works, gratuitous relief, etc., the distress and sufferings of the poor agriculturists and labouring classes in the *char* area of the Tangail subdivision and in portions of Tangail, Mirzapur, Basail, Kalihati, Gopalpur, Ghatail and Nagarpur thanas resulting from the last devastating flood?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir B. B. Ghose): The following sums have been spent: Rs. 48,000 on agricultural loans, Rs. 4,300 on gratuitous relief, partly from Government money and partly from other sources, and Rs. 15,750 on test relief works out of Rs. 25,000 hitherto allotted for the purpose. Government officers have also assisted the private relief agencies which opened gratuitous relief centres.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Member be pleased to state whether any action was taken under the Famine Code?

The Hon'ble Sir B. B. GHOSE: Famine relief works are carried on under the Famine Code.

Mr. H. S. SUHRAWARDY: Will the Hon'ble Member be pleased to state the reason why test relief works have been stopped, although there is still considerable distress in that area and the sum allotted for the purpose has not been entirely spent?

The Hon'ble Sir B. B. GHOSE: This has been done by the district board, as they probably think it is not necessary at present.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether the balance of Rs. 25,000 after spending the sum of Rs. 17,750 on test relief works is still available?

The Hon'ble Sir B. B. GHOSE: Yes.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether, in view of the discussion in Council, he will be pleased to call for a special report from the subdivisional officer as regards the extent of relief necessary?

The Hon'ble Sir B. B. GHOSE: We are receiving reports from him and so it is not necessary to ask for a special report.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to mention the names of the private agencies which have been working in these areas?

The Hon'ble Sir B. B. GHOSE: They are many and it is difficult to mention them all.

Maulvi SYED MAJID BAKSH: Does the Hon'ble Member remember the names?

The Hon'ble Sir B. B. GHOSE: I ask for notice.

Maulvi NUR RAHMAN KHAN EUSUFJI: Is the Hon'ble Member aware that one Kamini Kawar committed suicide for want of food and another person died of starvation, and several other deaths occurred in thana Mirzapur?

The Hon'ble Sir B. B. GHOSE: We have no information.

Seeds for next harvest in Tangail.

*158. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware--

(*i*) of the destruction of the paddy and jute crops by the last great flood in the Tangail subdivision;

(*ii*) that the majority of the cultivators stand in immediate need of *aus* and *aman* paddy seeds and jute seeds for their next harvest;

(*iii*) that the bulk of the cultivators have been reduced to extreme poverty and are unable to pay for the price of the seeds they require;

(*iv*) that sufficient quantity of paddy and jute seeds not being locally available, seeds will have to be provided for from outside; and

(*v*) that unless some sort of arrangement be made without delay by the Government to advance seed loans or make free distribution of seeds to the needy cultivators in the affected areas in the Tangail subdivision, most of the paddy or jute lands are sure to remain fallow and the condition of the people is sure to become worse next year?

(*b*) Will the Hon'ble Member be pleased to state what measures do the Government contemplate to adopt for the purpose of solving the seed question in Tangail?

The Hon'ble Sir B. B. CHOSE: (*a*) (*i*) Yes.

(*ii*) Yes.

(*iii*) No. The latest report is that there is no demand for further loans for buying seeds.

(*iv*) No. It is reported that the local supply is sufficient.

(*v*) No. It is not apprehended that any paddy or jute lands will remain fallow.

(*b*) No measures in addition to those already taken are considered necessary.

Maulvi NUR RANMAN KHAN EUSUFJI: With reference to answer (*iii*), will the Hon'ble Member be pleased to furnish us the dates of the reports and the name of the officer who reported?

The Hon'ble Sir B. B. CHOSE: I would ask for notice.

Mr. H. S. SUHRAWARDY: Is the Hon'ble Member aware that several non-official agencies in Tangail have clamoured for paddy seeds and there are several deputations which are ready to wait on the Hon'ble Member on the question of allotment of funds for paddy seeds?

The Hon'ble Sir B. B. GHOSE: The information is that we have been asked to receive a deputation and I do not know of any local clamour, at least it has not been reported to us.

Mr. H. S. SUHRAWARDY: Is the Hon'ble Member aware that if paddy seeds are not distributed, very large tracts of land will lie fallow?

The Hon'ble Sir B. B. GHOSE: The answer is given in (v).

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state when the last report as regards the condition of Tangail was received?

The Hon'ble Sir B. B. GHOSE: 2nd March, 1932.

Separation of the Legislative Department and the Council Department.

***160. Mr. A. F. RAHMAN:** (a) With reference to the reply given to starred question No. 56, dated the 24th July, 1931, and the supplementary questions thereto, will the Hon'ble Member in charge of the Legislative Department be pleased to state whether the Government have considered the question of the separation of the Legislative Department and the Council Department in a joint meeting of the Government?

(b) If the answer to (a) is in the affirmative, when was it considered?

(c) If the question was not considered at a joint meeting,—

(i) by whom was it considered; and

(ii) why was it not discussed in a joint meeting of the Government?

(d) Was the Hon'ble President invited to the meeting for his opinion?

(e) Are the Government in a position to lay on the table the full proceedings of such a meeting together with the correspondence that passed between the Hon'ble Member-in-charge and the Hon'ble President and also with the views of the President presented at that meeting?

(f) Is it a fact that the Government have examined the Hon'ble President's suggestions fully?

(*g*) If the answer to (*f*) is in the affirmative, are the Government considering the desirability of placing the result of the examinations before the Council in view of the Hon'ble Member's assurance to this House on the 24th July, 1931?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) to (*g*) The member is referred to the answers given to starred question No. 113 by Mr. S. M. Bose on the 14th of this month.

Babu JITENDRALAL BANNERJEE: Is the Hon'ble Member aware that the committee which was appointed by Government to deal with this matter suggested that the question of the immediate separation should be laid before the Council for an expression of the Council's opinion thereon?

The Hon'ble Sir B. B. GHOSE: It is difficult for me to answer because I do not know the facts.

Babu JITENDRALAL BANNERJEE: Is not the Hon'ble Member in charge of this department?

The Hon'ble Sir B. B. GHOSE: I have been since the 26th of January last.

Babu JITENDRALAL BANNERJEE: My question is—What are the practical difficulties in accepting the scheme of separation submitted by the Legislative Department?

The Hon'ble Sir B. B. GHOSE: It has been stated in the reply.

Babu JITENDRALAL BANNERJEE: It has not been stated in the reply.

The Hon'ble Sir B. B. GHOSE: I cannot state anything further.

Babu JITENDRALAL BANNERJEE: I want to know whether he "cannot" or he "won't." Let him say whether he cannot state the information for reasons of State and therefore declines to answer, or whether he does not possess the information.

Professor of Physiology in the Calcutta Medical College.

*161. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) the names of the candidates who applied for the post of Professor of Physiology in the Calcutta Medical College with their respective qualifications; and

(*ii*) the name of the candidate actually selected for appointment with his qualifications?

(*b*) Is it a fact that a committee was appointed for the selection of candidates?

(*c*) If the answer to (*b*) is in the affirmative, who were the members of the committee and who appointed them?

(*d*) Was the Principal of the Calcutta Medical College a member of the said committee? If not, why not?

(*e*) Were the members of the said committee appointed for their special knowledge of the subject of Physiology?

(*f*) Was any attempt made to enlist the service of any leading medical men or scientists in the said committee having special knowledge of the subject as regards teaching or research? If not, why not?

(*g*) Will the Hon'ble Minister be pleased to state the names of the candidates who were selected for interview by the said committee, with their respective qualifications?

(*h*) Is it a fact that candidates having higher academical and research qualifications as also experience in teaching the subject of Physiology, in particular, were not selected for interview? If so, why?

(*i*) Is it a fact that the candidate selected for appointment had no special qualifications in Physiology and no teaching experience or research qualification in the subject?

(*j*) If the answer to (*i*) is in the affirmative, what were the considerations that led to the appointment of such a person in preference to others?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) (*i*) A list is laid on the table.

(*ii*) Dr. Premankur De, B.SC., M.B., M.R.C.P. (Edin.).

(*b*) Yes.

(*c*) The Government of Bengal appointed a committee as in the list laid on the table.

(*d*) No. The head of the institution where a vacancy occurs is not necessarily a member of a selection committee.

(*e*) All the members of the committee were eminent medical men. Amongst the members Dr. U. N. Brahmachari holds the highest degree in Physiology, *i.e.*, Ph.D. in Physiology. He is the only medical man in Bengal holding such degree and is the Post-Graduate Lecturer in Physiology of Calcutta University and examiner of Physiology in all higher examinations, M.Sc., etc.

(*f*) See (*e*).

(*g*) A list is laid on the table.

(*h*) No.

(*i*) No.

(*j*) Does not arise.

List referred to in the answer to clause (a) (i) of starred question No. 161.

NAMES OF CANDIDATES.

(1) Dr. Harbans Lal Chopra, M.B., B.S. (Punjab), D.T.M. & H. (Eng.), D.P.H. (London Academic), M.R.C.P. (Ireland).

(2) Dr. Tribhowandas Gobaldas Paymaster, M.B., B.S. (Bombay).

(3) Dr. Premankar De, B.SC., M.B., M.R.C.P. (Edin.).

(4) Dr. D. C. Majumdar, M.B. (Allad.), M.R.C.P. (Lond.).

(5) Dr. G. B. Mankad, M.D. (Bom.), M.R.C.P. (Loud.).

(6) Dr. C. A. Shanta, M.B. (Cal.), M.R.C.P. (Lond.).

(7) Rai Satish Chandra Banerji Bahadur (L.M.S.).

(8) Dr. Bijali Behari Sarkar, D.SC. (Edin.), M.SC. (Cal.).

(9) Dr. R. K. Pal, D.SC. (Edin.), M.R.C.P. (Edin.), L.R.C.P. & S. (Edin.), L.R.C.P. (Glas.), M.B. (Cal.), M.SC. (Cal.).

(10) Dr. P. D. Kapur, B.SC. (Glas.), M.A. (Glas.), F.C.S. (Lond.), M.B., CH.B. (Glas.).

(11) Dr. Satindra Kumar Sen, B.SC., M.B. (Cal.), L.M. (Dub.), D.P.H. (T.C.D.).

(12) Dr. B. C. Ghosh, M.A. (All.), L.S.A. (Lond.), M.A., M.B., B.S. (Cantab.).

(13) Rai Bahadur Harendra Nath Das, M.A., M.D. (Cal.).

(14) Dr. Lal Mohan Ghoshal.

(15) Dr. Madan Mohan Dutta.

(16) Dr. Amulya Ratan Chakrabarti, B.SC., M.B. (Cal.), M.R.C.P. (Edin.).

(17) Dr. Charubrata Roy, B.SC., M.B. (Cal.).

(18) Dr. Rajendra Nath Kundu, M.B., D.T.M. (Cal.).

List referred to in the answer to clause (c) of starred question No. 161.

SELECTION COMMITTEE.

The Surgeon-General with the Government of Bengal.

Lt.-Col. H. W. Acton, C.I.E., I.M.S.

Dr. U. N. Brahmachari.

Lt.-Col. Sir Hassan Suhrawardy.

List referred to the answer to clause (g) of starred question No. 161.

CANDIDATES SELECTED FOR INTERVIEW.

(1) Dr. Premankur De, B.SC., M.B., M.R.C.P. (Edin.).

(2) Dr. Bijali Behari Sarkar, M.SC. (Cal.), D.SC. (Edin.).

(3) Dr. P. D. Kapur, M.A., B.SC., F.C.S., M.B., CH.B., D.R.T.C.

(4) Dr. Satindra Kumar Sen, B.SC., M.B., L.M. (Dub.)., D.P.H. (T.C.D.).

(5) Dr. Amulya Ratan Chakravarty, B.SC., M.B., M.R.C.P. (Edin.).

(6) Rai Bahadur Dr. Harendra Nath Das, M.A., M.D.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state what was the post which this candidate occupied before he was appointed Professor of Physiology?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: He was Assistant Professor of Pharmacology in the School of Tropical Medicine, Calcutta.

Babu JITENDRALAL BANNERJEE: Has Pharmacology got anything to do with Physiology?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It has a great deal to do and that is the opinion of the experts.

Babu JITENDRALAL BANNERJEE: Had he any teaching experience of Physiology before?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: For the information of the member, I may read out the opinion of the expert committee which selected this candidate, and I think it will satisfy the member.

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. I have asked for some specific information, will not the Hon'ble Minister give me that information?

Mr. PRESIDENT: He is, perhaps, giving you the information you want; if you are not satisfied, you can rise again and put another supplementary question.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Mr. Premankur De was chosen by the committee because he was considered suitable by age, he was 38½ years, high special qualifications in all the important teaching branches of practical Physiology, which were part of his daily routine in conducting pharmacological investigations.

Many of the candidates had good qualifications as bio-chemists but very few had any real experience in animal experimentation, and microscopic anatomy, and the practical laboratory work associated with the teaching of these branches of Physiology, as Dr. De has. His work as a teacher and general character were also well known to several members of the committee. The only other candidate combining these qualifications was considered too young for the charge of such an important professorship and his teaching experience was only in a small medical school.

Babu JITENDRALAL BANNERJEE: Has Dr. Premankur De any experience in anything else besides Physiology?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I do not think that question arises.

Babu JITENDRALAL BANNERJEE: My question is about the competence of the gentleman appointed. Did he hold any post in Europe or not so far as Physiology is concerned?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: We accepted the opinion of the expert members of the committee.

Mr. PRESIDENT: The member wants to know whether he possesses the particular qualification.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I ask for notice.

Babu JITENDRALAL BANNERJEE: So far as this University is concerned, what is the extent of his qualifications in Physiology?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: An ordinary post-graduate.

Babu JITENDRALAL BANNERJEE: May I take it that he was a Chatterjee graduate?

Mr. PRESIDENT: I cannot allow this question.

Babu JITENDRALAL BANNERJEE: Has he any qualifications as a past student of Physiology?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I think he has.

Babu JITENDRALAL BANNERJEE: Among the candidates, who was officiating as Professor of Physiology in the Medical College?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I want notice.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to tell us whether the candidate was unanimously recommended by the Selection Committee?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Of course.

Babu JITENDRALAL BANNERJEE: Was not Dr. Premankur De rejected just a year ago, when he applied for a post in the Presidency College?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I think he was not selected.

Mr. NARENDRA KUMAR BASU: Which University confers the degree of Ph.D. in Physiology?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I ask for notice.

Unstarred Questions

(answers to which were laid on the table).

Number of persons arrested under the Criminal Law Amendment laws after their acquittal by courts.

86. Babu SATYENDRA NATH ROY: Will the Hon'ble Member in charge of the Political Department be pleased to state the number of persons who have been arrested up to date under the Bengal Criminal Law Amendment Act of 1930 or the Bengal Criminal Law Ordinance, 1931, after acquittal by Courts of Justice?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): Forty-two.

Civil disobedience movement prisoners, détenus and State prisoners.

87. Maulvi HASSAN ALI: Will the Hon'ble Member in charge of the Political Department be pleased to state—

(*a*) the number of prisoners convicted in connection with the civil disobedience movement beginning from 1st January, 1932, to 30th January, 1932, in Calcutta and in different districts of Bengal showing the figures separately for—

(*i*) males,

(*ii*) females,

(*iii*) Muslim males,

(*iv*) Muslim females;

(*b*) the number of persons detained under Criminal Law Amendment Act in different parts of Bengal showing the figures separately;

(*c*) the names and numbers of persons deported from Bengal to other provinces;

(*d*) the number and names of persons detained under Bengal Regulation No. III of 1818; and

(*e*) the number and names of persons in Calcutta and other places of Bengal who have been served with notices under sections 4 and 57 of the Emergency Powers Ordinance?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) The information is not available. The member is referred to the reply given to his starred question No. 110 on the 14th March, 1932.

(*b*)	In jails in Bengal	...	206
	In Buxa Camp	...	165
	In Hijli Camp	...	208
	In Berhampore Camp	...	138

(*c*) Nine. A statement is laid on the table.

(*d*) Twenty-one. A statement is laid on the table.

(*e*) The number of orders under sections 4 and 57 of the Emergency Powers Ordinance in force, as reported on 12th March, 1932, was 1,966. Information is not available as to the names of persons served with orders under these sections.

Statement referred to in the answer to clause (c) of unstarred question No. 87.

NAMES OF PERSONS DEPORTED FROM BENGAL TO OTHER PROVINCES UNDER THE BENGAL CRIMINAL LAW AMENDMENT ACT, 1930.

1. Indra Chandra Narang.
2. Sushil Kumar Banarji.
3. Jamaluddin Bukhari.
4. Ram Kissen Brahman.
5. Asoke Singh.
6. Maha Singh *alias* Mahan Singh.
7. Satyabrata Ghosh *alias* Renu.
8. Pritish Chandra Bose Chaudhuri.
9. Prem Singh Prem.

Statement referred to in the answer to clause (d) of unstarred question No. 87.

NAMES OF PERSONS DETAINED UNDER BENGAL REGULATION III OF 1818.

1. Jiban Lal Chatarji.
2. Benoyendra Nath Roy Chaudhuri.
3. Satya Bhusan Gupta.
4. Monoranjan Gupta.

5. Bhupendra Kumar Datta.
6. Arun Chandra Guha.
7. Ramesh Chandra Acharji.
8. Trailokhya Charan Chakrabartti.
9. Pratul Chandra Bhattacharji.
10. Surendra Mohan Ghosh *alias* Madhu.
11. Rabindra Mohan Sen Gupta.
12. Pratul Chandra Ganguli.
13. Jyotish Chandra Ghosh.
14. Suresh Chandra Das.
15. Purna Chandra Das.
16. Bhupati Mazumdar.
17. Rasik Lal Das.
18. Bhupendra Kishore Rakshit Roy.
19. Mr. Subhas Chandra Bose.
20. Mr. J. M. Sen Gupta.
21. Sarat Chandra Bose.

Maulvi HASSAN ALI: With reference to answer (*e*) will the Hon'ble Member be pleased to state if it is not a fact that a notice under section 4 of the Emergency Powers Ordinance was served on Maulvi Abdul Hakim, a member of this House?

The Hon'ble Mr. W. D. R. PRENTICE: I believe it was.

Maulvi HASSAN ALI: Will the Hon'ble Member be pleased to state whether he is a Congress man?

The Hon'ble Mr. W. D. R. PRENTICE: I have not the vaguest knowledge of this.

Withdrawal of remarks.

The Hon'ble Mr. A. MARR: I want to mention that last Saturday we had a little controversy over certain words that had been used by some members. I am glad to say that we had a meeting afterwards, and I think that the members concerned will agree that it is fair that they should withdraw the remarks made by them.

Mr. NARENDRA KUMAR BASU: I personally confess that I went beyond the limits of parliamentary language in my speech on Saturday last, and with your permission, I withdraw the last portion of my speech.

Mr. H. S. SUHRAWARDY: If I have in any way said anything which may be considered excessive or unparliamentary, or which may have given offence to my vast number of Hindu friends, I am quite prepared to withdraw it.

The Hon'ble Mr. A. MARR: Sir, I beg to move that the record be amended accordingly.

Mr. PRESIDENT: This is in conformity with the decision I gave on the point. I think this should satisfy the House.

Motion for adjournment.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move for an adjournment of the House to discuss a question of urgent public importance, namely, the unusual and unreasonable delay in the separation of the Legislative Department and the Council Department.

Mr. PRESIDENT: I received a notice of a motion for the adjournment of the House for the discussion of a matter of definite and urgent public importance, namely, the unusual and unreasonable delay on the part of Government in giving effect to the immediate separation of the Legislative Department and the Council Department. I may tell the House that I gave my consent to that motion subject to this reservation that it would not be given effect to if the Hon'ble Member in charge of the Legislative Department gave his consent to another motion on the same subject, notice of which I had received under section 78A and which I had admitted. I understand that the Hon'ble Member concerned has refused his consent to that motion being moved under section 78A. I have, therefore, given my consent to the moving of this adjournment motion.

The Hon'ble Mr. A. MARR: On a point of order, Sir. Before a motion for adjournment can be discussed, it must be on a matter of immediate public importance. This matter is not immediate; it has been under consideration for some months past. There was a motion under "22—General Administration" to discuss this.

Mr. PRESIDENT: I think that is more or less a matter of opinion. In my opinion this matter is definite, urgent and one of public importance. As I pointed out to the House, I would have very much

wished that the Hon'ble Member in charge of the Legislative Department had made it possible for the other motion on this subject to come up before the House. In any case, I think under the rules I cannot prevent this motion being moved unless the House decide otherwise. Is there any objection?

Mr. C. C. COOPER: I object on principle.

Mr. PRESIDENT: Will those in favour of the discussion of the motion, please stand up?

[More than the requisite number of members having stood up.]

Mr. PRESIDENT: The member has the leave of the House. I fix 4 o'clock to-morrow for the discussion of this motion.

DEMANDS FOR GRANTS.

26—Police.

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 2,03,95,000 be granted for expenditure under the head "26—Police."

I am well aware that this is an enormous sum to ask for—it is a larger sum than is spent on police in any other province in India; it is a larger percentage of the revenue expenditure than that of any other province in India. But admitting all that I am afraid I must ask the Council to grant this sum because it is required for the proper maintenance of law and order in this Province. If you will look at the figures in the red book you will find that there was a big increase in the cost of the police between 1928-29 and 1929-30, and another between 1929-30 and 1930-31. The figure for which I am now asking for 1932-33 is only slightly larger than the figure for 1930-31. Large as this sum is, it does not mean that we have met all the requirements of the police force in Bengal; there are other large requirements before us, but they have been held back by Government, not because they were not satisfied that they were desirable but because we cannot honestly state at present that they are absolutely necessary, and recognising the financial position of the Province we have decided to run certain risks and do without the additional police force for the present. For example, as regards the position in Chittagong, but for the assistance given us by a neighbouring Government, we would not have been able to retain the force of police required there in recent months. The Assam Government lent us a certain number of military police, and in consequence we have

been able to avoid the necessity of increasing our military police force. At present in Chittagong we have also the help of troops, which might not have been necessary had we had a large enough reserve force. I mention these facts to assure the Council that while the sum asked for is so large, it is not an extravagant sum; it does not meet all the requirements of the Province and we have had to borrow from another province to enable us to carry on.

I have heard it said from time to time that the expenditure on the gazetted ranks of the police is very large, and that there is considerable room for economy there. Yesterday I went through the figures roughly in order to see what the expenditure was on gazetted ranks, and on other ranks, and I find that only 5·8 *per cent.* of the expenditure asked for is for gazetted ranks and 62·3 *per cent.* for the ranks of inspectors and lower ranks. As regards the distribution roughly 20 *per cent.* of the grant is spent in Calcutta, 1·6 *per cent.* is spent on superintendence, *i.e.*, the Inspector-General of Police, and the staff of the Deputy Inspectors-General of the Bengal Police force. The provision for the Bengal Police, *i.e.*, the ordinary police force in the districts, is about 64·75 *per cent.* of the total and for the C. I. D. 6·1 *per cent.* Only a very small amount, *viz.*, ·4 *per cent.* is for buildings. The members of the Council who come from the *mufassal* know what the state of police buildings is in the *mufassal* and they must realise how absolutely absurd is the amount that we ask for compared with the needs. They know the state of the thanas in their own districts and how many of these have proper buildings.

3-30 p.m.

Sir, there are a large number of motions of which notice has been given. I do not propose to make any general remarks on these motions at present. I will deal with them as they arise.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 2,69,000 under the head "26A—Presidency Police—Superintendence" be reduced by Rs. 1,000 (to discuss the desirability of preventing assaults by Presidency Police).

Sir, it was undoubtedly a matter for regret that I should once again in this session raise my voice to criticise the department placed in charge of my Hon'ble friend Mr. Prentice. But, Sir, as my motion is circumscribed within the narrow bounds of this city, I shall have to confine my remarks within its limits which would be easier for my Hon'ble friend to meet. If not thus fettered, I would have taken the earliest opportunity of condemning in no uncertain terms the highhandedness of the licensed hooligans, in places which loomed large

in the public view, who were maintained at public expense under his charge to stifle the rising spirit of nationalism in the land.

Sir, until a few years ago, this city of palaces was the metropolis of India and a great centre of trade and commerce. Even now it is the capital of the Bengal Presidency and is the premier city in India. The police for this city are not trained in the provincial police training school but get special training of its own within this city. It was, therefore, natural to expect that the training given here would be of a higher order befitting the position of this great city. They were expected to be more cultured, more civilised, more up to date, more courteous and more helpful to the public like the police in the West. But, Sir, the public have been sorely disappointed. They find that there was absolutely little difference between the Calcutta and the Bengal Police except in the matter of better uniforms and more comfortable accommodations. Another prominent feature of the city police was the large number of white sergeants in smart uniforms who lorded over the people and lived lordly lives in palatial buildings at public expense. The maintenance cost of the city police amounted to Rs. 43,75,000 *per annum* while that of the rest of Bengal amounted to Rs. 1,43,46,000—total Rs. 2,03,80,000. From this it would be evident that the city police absorbed more than one-fifth of the total demand for the police.

The police force is maintained primarily for the protection of the person and property of the citizens. Their chief business was to detect thieves, robbers, murderers, swindlers, rioters and to keep a sharp eye over the movements of the scum and the dregs of society. But, Sir, what do we find in actual practice? The energy of the police force is being diverted to other channels to serve the ends of the bureaucracy. Although they are paid out of the public exchequer, it was an irony of fate that they should so far forget themselves as to lord over their real masters who pay for their maintenance under the direction of the bureaucracy—the guardians in perpetuity who had usurped absolute control not only over the purse but also over their person and property. Although the lower ranks of the police are filled by men hailing from places outside Bengal the inspectors and the upper grade men generally come from good families and are on the whole well educated. In these circumstances, better and more civilised standard of police administration could have been expected from them, had not slavish mentality, self-interest and greed of gold intervened. They have been made to imbibe the spirit of their surroundings—I mean the vicious bureaucratic circle.

Sir, I carefully went through the pages of the Annual Report on the Police Administration of the town of Calcutta and its suburbs for the year 1930 and the resolution of the Government thereon. But I was sorely disappointed to find that it was an one-sided report

presenting only the bright side of the picture. The dark side has been kept back from public view. It cannot be said to be an impartial document, and is, therefore, not worth the paper on which it has been written. In the report not a word has been said about police terrorism. The licensed hooliganism of these pampered children have struck terror into the minds of the peaceful citizens. The assaults on innocent passers-by using the King's highway by the police were too numerous to need recounting. There was not a word of sympathy for the innocent persons whose heads were broken or limbs have been smashed for no fault of their own.

Sir, it was not a pleasant task to criticise the actions of Government whenever an opportunity turned up. But, Sir, as popular representatives it was, I think, our duty to voice in unequivocal terms their feelings and sentiments on matters affecting their best interests. A strong sense of duty sometimes impelled me to criticise very strongly against certain departments of Government, specially that of the police which I should have avoided. Sir, law and order was essential for the ordered progress of society. The police is the only agency through which these could be enforced. Their task was no doubt arduous and onerous in the extreme, but unfortunately no other department of Government was subjected to such trenchant criticism as the Police Department. Although they bear the brunt of the blow, theirs is a thankless task so far as the public was concerned. It was, therefore, no wonder that the Government should shower high encomiums on them in season and out of season to cheer them up in the performance of their duties. There must be some justification for doing so. But, Sir, there was a limit to everything. The public point of view was that the Government have exceeded the bounds and like fond parents have spoilt them by over-indulgence.

Sir, there cannot be any doubt that the police power is the strong arm of the State for the enforcement not only of its laws but also of its will. The autocratic spirit of the Government is reflected in the imperviousness of the police to public opinion. Its general attitude towards the public is also indicative of the autocratic spirit of the Government. The unfailing courtesy of the English police reflected the democratic spirit of the Government of that country. If autocracy goes, as, I think, it will in the near future, the attitude of the police towards the public will automatically change.

However, as matters stand, I cannot but condemn the use of the police power for autocratic and oligarchic ends and the violation of fundamental human rights and liberties. I do not blame any individual policeman but condemn the very system under which they have got to work.

Sir, the lawless laws have given the police a splendid opportunity for the exhibition of their autocratic powers. I do not like to rake up old sores, too galling for the public to easily forget, else I could have cited numerous instances to show how the guardians of law and order ruthlessly trampled down all sorts of conventions and themselves broke the law, for which there was absolutely no justification whatsoever. Can anybody in this House, including of course the Hon'ble Police Member, justify the hooliganism perpetrated by the white sergeants under the Deputy Commissioner Mr. Gordon during their invasion of the University buildings and the free use of batons on the heads of innocent young men in their class rooms? This was one of the actions of these licensed hooligans for which any Government will have to hang down its head in shame.

The Ordinances and the Criminal Amendment Law do not provide for the indiscriminate use of the *lathi* or the baton either on unarmed passers-by using the King's highway or the breaking of heads and limbs before and after the arrest of civil resisters. It was a standing disgrace to any civilised Government to encourage the revival of this relic of the barbaric age in the twentieth century. It was cowardice pure and simple to use the *lathi* or the baton or the rifle on an unarmed people on the mythical plea of the throwing of brickbats on them—a thing which can rarely be found in the neat and tidy asphalt roads of the city.

However, in the name of civilisation and humanity I should ask the Government to put a stop to the assaults by the police—pray, save the people from police terrorism. With these words I commend my motion to the acceptance of the House.

Maulvi SYED JALALUDDIN HASHEMY: Sir, may I move motions 687, 689 and 722 together? I gave a notice of a special motion and in reply to that it was stated that I can move these motions in connection with this motion.

Mr. PRESIDENT: You can move only two motions, namely 687 and 689, now and make one speech on them.

The Hon'ble Mr. W. D. R. PRENTICE: As regards motion No. 722, it deals with the District Police whereas motions 687 and 689 deal entirely with the Calcutta Police.

Mr. PRESIDENT: That is why I ruled that this motion No. 722 should not be moved at this stage. The member can move motions 687 and 689 together and make one speech on them.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move—

that the demand of Rs. 33,44,000 under the head "26A—Presidency Police—Calcutta Police" be reduced by Rs. 1,000 (general policy and excesses with regard to the present civil disobedience movement); and

that the demand of Rs. 33,44,000 under the head "26A—Presidency Police—Calcutta Police" be reduced by Rs. 1,000 (excesses by the sergeants of the Calcutta Police on the 4th January, 1932, at the Sradhananda Park and on the 26th January, 1932, at the Maidan).

Sir, the Hon'ble Member in charge of the Police Department just now in his speech said that for the maintenance of law and order in the Presidency town of Calcutta about 25 *per cent.* of the total expenditure under the head "Police" is spent. Sir, may I ask the Hon'ble Member-in-charge very seriously whether the presidency police is actually maintaining the law and order in Calcutta or whether they are really creating unrest and disorder in Calcutta? Sir, let me for a moment change my position and say that there is some necessity for rule by the Ordinances. Will the Hon'ble Member tell us whether in any one of the half a dozen Ordinances there are any provisions in any section for making *lathi* charges by the sergeants of Calcutta Police? I hope he will not be able to say anything of that kind. Sir, in moving my two motions I may only point out of two days' occurrence which took place before my very eyes.

3-45 p.m.

If the Hon'ble Member denies this I can say that he will be able to deny the very existence of the Government of Bengal. I was present on the 4th of January last at the meeting which was going to be held at the Mirzapur Park. I was not at all prepared to see such a terrible scene which I have never seen up till then in Calcutta. I came all the way from Khulna to Calcutta that very day after the arrest of Mahatma Gandhi. The meeting was arranged on that day in that park and so far as I remember notice under section 62 (*a*) of the Police Act was served upon the organisers of that meeting and some other members of the Congress opposition that very afternoon. The public of Calcutta were certainly not aware of that notice under section 62 (*a*) of the Police Act and assembled in large numbers in that park. By the by I happened to be at that meeting in the Mirzapur Park. At 5 p.m., when the people assembled there in large numbers, a large number of sergeants with three or four officers entered the park and without giving any notice whatsoever—I say these events happened before my eyes and still I am in my perfect senses—I say that without giving any

notice whatsoever the sergeants began to charge the public in such a terrible way and the public began to run hither and thither in such a furious way that the eastern fencing of that park got demolished and the people made good their escape by that side. A sergeant, a furious sergeant, came running in the direction where I was standing with my crutches with some of my friends, and began to beat them so very mercilessly that one of my friends who is an employee of the Calcutta Corporation—Bolai Babu—fell down on the ground. I was prepared to share the same consequences but fortunately or unfortunately the sergeant spared me.

I will make another statement in the House which also occurred before my very eyes on the 26th January last. It was on that day last year and probably the members of the House are all aware that Mr. Subhas Chandra Bose was mercilessly assaulted and I moved a motion of adjournment of the House to discuss that matter. On that very day this year, that is the 26th January, I happened to be there and to see how the people fared at that meeting. I know and agree that under the Ordinances and under that particular notice people were not entitled to assemble there on that day. If I remember aright there was an assemblage of more than 20,000 men in all the streets near the Ochterlony Monument. I went there just at 4 p.m. and I found some ladies penetrating through the mass of humanity to enter the prohibited area. Several sergeants on horse back were running and before my very eyes one lady, Aruni Debi, was given a *lathi* blow by a sergeant. I hope the House will believe me when I say that I went to see her in the Presidency Jail, and found that the wrist of her hand was considerably swollen and she could not do any work whatsoever and in the presence of the Jailor she exhibited her hand. I do not understand what is the policy of the Calcutta Police and of the officers who are guiding and dictating them to deal with the public in this terrible manner. An experiment was already made by using *lathis* last year and the year before last. If it is their aim to terrorise the people I can say that it has failed in the past and it will also fail in the future. If it is the sacred duty of the police to maintain law and order, are they really discharging their sacred duty in Calcutta when almost every day these sorts of occurrences are found in the streets of Calcutta? When I rise to speak here and in this House sometimes I forget myself and I think I am speaking to a House in an alien country; as if I am speaking in a hall in London. I am sure I can convince any Indian member of this House regarding the atrocities committed by the Calcutta Police. Almost every day members of the House who happen to be present at the junction of Clive Street can very well see with their own eyes how sergeants deal with the law breakers. I am sure these law-breakers are prepared to suffer these sorts of consequences of their acts. Is it for the Hon'ble Member-in-charge, or is it for a

civilised Government as they profess to be, to instruct the Calcutta Police, particularly sergeants, to deal with the public in such a way? I have no quarrel if a law-breaker is arrested and taken into custody, or even if inside a prison van he is assaulted, but what have the public done so that the police may go on charging them with *lathis* on all occasions invariably when some law is broken and when some civil resisters assembled in groups of five or seven? I do not know of any single instance when they resisted arrest or when they used any sort of violence on any sergeant or police who are deputed to arrest them. After their arrest there is generally an excitement or commotion in that locality. The police in securing persons begin to make *lathi* charges on the innocent public; on many occasions I have seen this with my own eyes and I am sure members of this House have also seen with their eyes the poor plight of the public in the hands of the sergeants of the Calcutta Police. Under these circumstances I ask the Indian members of this House not to vote the grant asked for by the Hon'ble Member. Certainly the time has come when we shall give a reply to the Government who are not prepared to accept any compromise with the people of this country. They are bent upon governing Calcutta and Bengal with *lathi* charges and they have already extended a challenge to the people of Bengal and they are also bent upon proving that they can bring these civil resisters under control by *lathi* charges. Surely we cannot make any complaint when the law is broken and there is resistance on the part of those who break the law, but when there is no such resistance I ask the Hon'ble Member to state here and to-day what may be the justification for the police to charge the general public even inside the shops—if they go there to take shelter—and run after them like mad and furious dogs and beat the public there and destroy the articles that are in the shops. In this way they are creating unrest and disorder. Under these circumstances I hope this House will vote for my motion and refuse to grant the amount asked for by the Member-in-charge.

The following motion was called but not moved:—

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 42,78,000 under the head "26A.—Presidency Police" be reduced by Rs. 1,000 (to draw attention to the misconduct of police officers with special references to the incidents at St. Paul's College in October last)."

Babu JATINDRA NATH BASU: I beg to move that the demand of Rs. 42,78,000 under the head "26A.—Presidency Police" be reduced by Rs. 101 (to discuss the want of facilities for calling public attention to misconduct of Presidency Police and public officers functioning as such).

In placing this motion before the House I desire to call attention to the instructions issued by the Government of India to the provincial Governments, in connection with the extraordinary measures that have been promulgated: "The Government of India recognising their responsibility attaching to the assumption of extraordinary powers would again bring to the notice of the local Governments the great importance of exercising control and supervision over the exercise of these powers and second they would request the local Governments to satisfy themselves with regard to the alleged instances of abuse brought to their notice, which is of course the normal practice and procedure. Some of the powers contained in the Ordinances are drastic and the Government of India attach great importance to the control by local Governments of their exercise." Then the Government of India proceed to say: "At the same time the Government of India would request the local Governments—

(*a*) to satisfy themselves in accordance with the usual procedure as to the facts of particular complaints or allegations brought to their notice, if they appear to be of such importance as to require action;

(*b*) to counteract false or exaggerated accounts of particular incidents by giving publicity to the actual facts; and

(*c*) in genuine cases of abuse to take such action as may be necessary by way of redress or by disciplinary measures."

The Secretary of State for India in his speech before the House of Commons referred to these instructions of the Government of India and he remarked that he wanted to make it clear that what he said was not to be in any way taken as a deflection from the policy of the Government to take firm and strong action in dealing with the civil disobedience movement. He continued that such action is not prejudiced but is rather confirmed by the avoidance of excesses; and that experience time and again had shown that the best results were achieved by the observance of the strictest discipline. The people of this country have for some time past heard news of various excesses said to have been committed by the police. It is therefore imperative that facts relating to these excesses should have due publicity and Government should take every means to bring out the actual facts and assure the public that the instructions of the Government of India are being strictly adhered to.

4 p.m.

The impression amongst a large section of the public is that when the police is found to have exceeded the bounds of ordinary police measures and to have indulged in excesses the disciplinary or the

corrective action taken has been such as not to discourage such a course of conduct on the part of the police. Sir, sometimes the police goes to certain lengths which appear to be inexplicable to ordinary people. I must say that I am not familiar with the provisions of all the Ordinances that have been issued; it is difficult for an ordinary man to find time to go through all of them carefully. But I understand that there are Ordinances which empower the police to enter a place where people are suspected of holding unauthorised meetings and to remove the furniture and other property that may be found there. In a case in Calcutta some young men used a sitting room in a private house; it was suspected that the room was used for the purpose of illegal meetings. The house belonged to a old lady and in the sitting room there were old family portraits of men long dead. When the police came they removed not only the tables and chairs, but the family portraits as well. When the notice of the authorities was called to the circumstance by the owner no action appears to have been taken to restore to her those portraits, which, so far as people outside can see, could be of no use to the police. In another case the shop-keepers of a certain locality of Calcutta were given notice by the police that they must keep their shops open on *hartal* days. On *hartal* days those that keep their shops open are likely to be subjected to a certain amount of molestation. Having regard to the very large number of shops in Calcutta, especially in the shop areas, it is not humanly possible for the police to protect all the shop-keepers from molestation. You cannot place a policeman in front of every shop and see that the shop-keeper is not molested. The shop-keepers close their shops for fear of molestation and many of these shops do not contain ware of much value. If these shops are destroyed the poor owners are likely to be put to great loss. They also close their shops because otherwise there might be a campaign against them and they might lose their customers. But for some extraordinary reason the police issued that notice and when the shop-keeper wanted in keeping their shops open, to put up that notice on their doors, the police asked them not to post the notice up: it is difficult to find out the reason, because such posting would be some protection to the poor shop-keepers as the customers and the public would know the reason why the shops were open. In various other ways the ordinary liberty of a trader, who ordinarily is non-political, is being interfered with; they are being harassed in a manner which is inexplicable.

Such measures only widen the discontent without any benefit being derived by anybody. Sir, having regard to all this, it is necessary that there should be prompt publication of news. This is necessary in the interests of both the Government and the public. If in a case of assault, one man is actually hurt and the news is withheld, then reports are likely to be circulated in the city to the effect that 10 persons had been killed and 50 persons injured. Sir, in this way a great deal of wrong information is circulated, which might be avoided

if prompt steps are taken by Government to ensure the dissemination of correct news at the earliest opportunity. Having regard to the frame of mind amongst a large section of the people, any wrong news is likely to do a great amount of injury. Sir, there is now a Press Officer. He not only advises about the news to be published in the public press, but he sometimes dictates as to what should be the head lines and so forth and also the kind of type to be used in the headlines, and it has sometimes happened, as has been mentioned in some of the newspapers here, that news which were considered to be quite fit for publication in other parts of India have not been allowed to be published in Calcutta. All these things require careful consideration by Government and they should see that real news are published. Of course, news or publications which incite people to violence may be withheld, but ordinary news and true news will allay public excitement and should be allowed to be published. News about police excesses should not only be allowed to be published, but Government should also see that the excesses, if any, are promptly dealt with. Government should realise that though the strain on the police is undoubtedly very severe and their patience is sometimes sorely tried, still having regard to the peculiar constitution under which we live, it is of the greatest importance that the police should exercise all the self-restraint that they are capable of, because any action on their part is likely to be misconstrued and misinterpreted in various ways. I therefore submit that Government should see that the police in the city, when performing their duties under the special measures which have been promulgated, carry out their work in a way which would be above any suspicion of any excess on their part, and they should try to hold the scales as even as it is possible for them to do, and Government should also see that news regarding any action taken by the police in furtherance of the measures which have been promulgated are published, and that whenever there is any complaint that public grievances were not being attended to, the Government should take such measures as would assure the public that the grievances would receive the closest and the most sympathetic attention of Government and that steps were being taken to prevent the recurrence of happenings which might give rise to grievances.

Mr. J. N. GUPTA: It is my unpleasant duty to bring to the notice of the Hon'ble Member one particular instance of what I should like to describe as a really brutal assault by the police on an unfortunate victim. This happened in the Curzon Park some time ago in the afternoon. I do not know exactly what this unfortunate fellow had done, but I believe that he had unfurled a flag. He was severely beaten by the police, two of whom were sergeants. But the most unfortunate part of the incident was that even when the fellow had fallen down,

these guardians of law and order continued to assault the man. Sir, I cannot understand what can be the object of this policy. What are the reasons dictating this sort of policy on the part of those who are responsible for guiding the police. Is it intended that by such means terror will be struck in the hearts of future miscreants. Perhaps the Home Member will say that Government are fully aware of the Government of India's orders endorsed by the Secretary of State, which my friend Mr. J. N. Basu has just read out, but that he is sorry it is not possible to control the action of every member of the police force having regard to the fact that they have to deal with such a large number of people who are bent on breaking the law. I would put it in another way. It may also be said that if these men have been assaulted in the manner they have been, they have to thank themselves for it. If they were told not to come within a park or unfurl flags why did they do so? If, however, the Home Member takes up that attitude, does he not really say that he is not prepared to carry out the orders of the Government of India? You have been armed with these extraordinary powers, you have been told that in using those powers you must exercise the greatest control over your subordinates. The Commissioner of Police and other responsible officers must exercise far closer control than they seem to be doing.

4-15 p.m.

Sir, it is also my duty to tell the House that from a conversation which I had with an English lady I learnt that when she had occasion to see the Commissioner of Police, the officer who is in charge of the whole metropolitan police, about a matter relating to a relation of hers, she found the Commissioner in such an excited state of mind that he was unable to talk to her even for two minutes with any sense of control or any sense of proportion, that is to say, he was beside himself. Sir, if that is the state of mind of men who are responsible for the control of the police, is it to be wondered at that the whole police force is getting demoralised? It is a most serious disservice which the officers in charge of the police are doing to that force. They are really setting up the best intentioned, the most sober-minded, and moderate men of the city against them; and this mentality of the people against the police, mind you, Sir, is going to last, and when the new Government comes in when the representatives of the people will get the control of the police, it will take a great deal of time and trouble to efface this inimical and antagonistic attitude of the people of Calcutta against the police. In my opinion, a very great disservice is now being done to the police themselves. In speaking as I am, I am aware of the responsibility which rests upon me and everybody else to support the police in the discharge of their onerous duties at a time of such great difficulty. We are fully aware of that, but at the same time we are deliberately of opinion that no good can be done—and we are doing so

good, by resorting to these means which must be characterised as barbarous and uncivilized and are bound to defeat their very object. Therefore, Sir, I think that there is a great deal in these amendments and I should be very glad if a cut of even Re. 1 is carried just to express the sense of dissatisfaction of this Council at the manner in which the police of Calcutta are discharging their duties.

[At 4-15 p.m. the Council was adjourned for prayer and it reassembled at 4-30 p.m.]

Mr. J. CAMPBELL FORRESTER: Mr. President, Sir, this subject of the police is one that is continually brought up with the idea of harassing the Government. It is a matter that wants delicate handling, but the way the members of this House treat it reminds me of a person playing on a musical instrument with both hands on the keyboard and both feet on the pedals and thus creating a good deal of anything but harmony. Now, Sir, it was not my intention to speak in the House on this subject to-day until I found my friend Mr. Hashemy to my right abusing the sergeants. When I heard him speak so very disparagingly of the sergeants (who are really the backbone of the police) my mind went back to the year 1926 when the communal riots were on and the whole city was in a disturbed state, in fact in a perfect turmoil. I remember, Sir, that the Mayor hurriedly called a meeting of the citizens of Calcutta to see if anything could be done to lessen the disturbance and bring about peace. At that meeting it was decided that the leading citizens of the different castes were to go round the town and see if anything could be done to alleviate the great disturbance. I was amongst those appointed. Two Corporation cars were brought for our use and we toured the disturbed areas and wherever we went amongst that excited mob, we found nothing but admiration for the work done by the sergeants for their tolerance, forbearance and sympathetic treatment—admiration by one and all. When we returned after seeing the disturbed areas we were impressed with the good work done by the police. Well, Sir, it seems to me that the position of the Government in reference to police matters is always wrong according to this Council reminds me somewhat of the story of the Irish groom who applied for the post of a groom for a very vicious horse which had previously killed about six grooms. When the applicant asked the gentleman in charge of the horse whether it was a very dangerous horse, the latter said: "No, it is not a dangerous horse. You see, if you do not want it to bite you, keep yourself at its heels; and if you do not want it to kick you, keep yourself at its mouth." Moral—if you do not want *lathi* blows keep away from the disturbed area. The position of the Government is quite sound if you can handle it properly, there is little or no fault to find. It is pretty certain that whatever Government does, it will

always be doing something wrong, according to certain members of this House.

Well, Sir, you will remember that when the Council met after the communal disturbances in 1926, those members who had continually voted against the salaries of sergeants were the loudest in their praise of their good work so much so that they voted for an increase in their pay. I may again remind you, Sir, that the sergeants are the backbone of the police, they are the people on whom we depend and whenever there is any trouble, both Europeans and Indians always ask for the services of sergeants. I hope therefore that these motions which are nothing more than pin-pricks will cease and let us see that this gallant body of men are not libelled or deprived of what they are entitled to.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I am not in a position to state anything with regard to this matter which is stated in the motion from my own personal experience. As a rule I have managed so far to keep myself out of trouble and troublesome places. Well, by a thoughtful action of the Government in asking the newspaper editors through the Press Officer not to publish any account of what was happening on the 26th of January, I was also spared the trouble of getting information through the newspapers of any excesses of the police. Well, Sir, the Government went so far as to ask the newspapers not only to refrain from publishing anything regarding the 26th but also not to publish the fact that they received that notification. However, there was one very reliable and truthful newspaper which could be relied upon, and that was the *Statesman*. Well, I read an account of what happened in the *Statesman*, and I found that according to that paper on the 26th January nobody went near the Ochterlony Monument to make any demonstration on that day. The whole thing had been a total failure; only a certain number of visitors and sightseers had assembled on the outskirts beyond the cordon of the police. So there were nobody except the police force. A few ladies went there and they were summarily taken off in a prison van and spirited away and that was all that happened there. Although there were none but the sightseers and although there was no crowd, somehow, even according to the *Statesman*, the police had to charge upon the crowd. That looks rather mysterious. Then again there was another thing which troubled me and that is, the ladies who were courteously taken away in the prison van and spirited away, one of them happened to come in my way, and I found, well I did not exactly see her, but I have got definite information, that her arm was badly wounded and was in a sling at the time when she was put in the prison van. That happened on the 26th of January.

4-45 p.m.

Well, naturally one can conclude from this that a great deal more had happened, and that a great deal of most unnecessary force had been used. Every bit of force used there must have been unnecessary, because there was no hope of making a demonstration, which alone justified the use of indiscriminate force. But apart from that natural presumption, there is the other presumption arising from the fact that the Government had taken all the trouble to shut out all news of the incident from being published in the papers. Why should not even false news be given and countered by a truthful report from the other side? There is the *Statesman* to counter any false statements made by the national press, and the Government might issue *communiques*—only people will not be in a hurry to believe Government *communiques* after their experience of Hijli. Why should there be this anxiety in anticipation to shut out reports of the incidents of the 26th January? But, Sir, in the face of the fact that Government has kept *chup* over the matter, one assumes that all the stories, at any rate, some of them which have been circulated on police excesses, happen to be well founded. But then there are also other cases with regard to which, one of which, I have some personal knowledge. It has been said here and cannot be denied, that the police sometimes take young men after arrest to the police office, and there when they are under arrest and absolutely helpless they are assaulted by the police. Well, there was one case which came to me, a young man with horrid marks of whipping on his back and arms and elsewhere. He came from the police-station and said that he had been taken there under arrest and assaulted and then let go, then he came to me. I have his own statement about that, and there is no reason why I should not believe him in the circumstances. Then, there was another incident which left no room for speculation. The young man who had been arrested for making a murderous attempt on the life of Mr. Villiers—he was arrested and taken under police custody. Before he was produced—when his relations tried to see him to be able to ascertain whether he was really the Bimal Das Gupta—for a pretty long time they were not allowed to see him. At the Special Tribunal these relations were allowed to see him for the first time and that day a complaint was made before the Special Tribunal that this young man had been assaulted by the police while he was in police custody, and he bore marks on his person, of severe assault. But the Special Tribunal did not investigate that matter, because it was outside their jurisdiction. Well, it may be that this complaint was true, or it may not be true, but the way in which this complaint was treated when it came to the Police Court and from there to the Commissioner of Police, rouses a strong suspicion that the complaint had more truth in it than the police would care to admit. Well, when the matter came before the Presidency Magistrate he sent the complaint for report to the Commissioner of Police with the request

that an investigation might be made by an officer other than the officers concerned. When the matter was pending before the Commissioner of Police, the pleader on behalf of Bimal Das Gupta wanted to be present at the time of the inquiry and wrote to the Deputy Commissioner of Police asking for leave to be present and for a medical examination and an X-ray examination of Bimal Das Gupta. It seemed nothing but fair and I should have thought that the police should have welcomed this. If the police had nothing to fear, nothing to conceal, they would have welcomed his presence at the inquiry. The pleader received no reply, and the inquiry was held in the absence of the pleader, and what is most remarkable, in the absence of Bimal Das Gupta, who was not even examined by the Deputy Commissioner, and the Deputy Commissioner made a report saying that all this was mere concoction, simply upon certain presumptions. He had not examined Bimal Das Gupta; the injuries had not been examined by anybody, and still he reported that the whole thing was false and concocted. May I ask why this anxiety to avoid a thorough inquiry into a specific allegation of an assault by a police officer? Why should not the Deputy Commissioner allow a thorough investigation in the presence of the pleader? Why was there no medical examination of Bimal Das Gupta? And in spite of that this report was made. Under such circumstances, the presumption, if we are to apply the principles of the Evidence Act, the presumption would be that if there had been a full and thorough inquiry, and a medical examination, and all that, it would have disclosed that this man had been assaulted by the police. That is the presumption. No doubt it would be said that that is not a fact, and that the whole thing was, as a matter of fact, as stated by the Deputy Commissioner of Police, a concoction, assisted by the legal adviser of Bimal Das Gupta. But if this was so, I should have thought that the Commissioner of Police and the Magistrate should have given them the fullest opportunity to establish their case and demonstrate the absolute hollowness of this charge and proceed, if necessary, against the lawyers who concocted this. But it was shut out in a fashion which raises a large amount of suspicion. These are the circumstances which lead to a great deal of presumption against the police. Although, as I have stated, I have no personal knowledge or information of assaults by the police, but circumstances like this make it impossible to say that everything is well with the police. It may be no doubt true that in a large majority of cases the police are not at fault, it may be true that these are individual cases of excesses made by the police. If this is so, the right thing would be to take out these cases, complaints like the one I have illustrated here and elsewhere, and to bring it home to these policemen by adequate punishment that such things would not be tolerated. If this is not done, if nothing is done by Government to put a stop to these excesses when they occur, then the judgment must necessarily go by default against the Government.

Babu SATYENDRA NATH ROY: Members of Council are aware that Ordinances are issued under exceptional circumstances, and they can only be issued by His Excellency the Governor General. No local Government, far less the Home Member, have the power to add anything to it. I do not want to go to the excesses committed by the police during 1930, but I would narrate a few incidents that happened during the last week, within the precincts of the highest court of justice. On two occasions two different bodies of young men came within the Bar Association room waving national flags. They were outsiders, and the sergeants arrested them and gave them a good beating. I came in just a minute or two after they were taken away, but I heard about the assaults from my brother advocates, whom I must believe, and other persons who saw the assault, and some of them asked me what we, the members of Council, are here for, if this sort of things can go on within the precincts of the highest court of justice in broad daylight. Prisoners can be taken off and punishment might be awarded to them by Magistrates but what right have the police to give these persons a beating? It is an admitted principle of law that a person committing an offence must be tried in a court by a judge competent to try him, and then be given a punishment. The police has no power to give any punishment. That is the cardinal principle of all justice. I have also heard from persons who have seen with their own eyes, and I have no reason to disbelieve that—that cases of assaults have recently taken place in broad streets where picketers have been arrested and then assaulted. Under these circumstances, I wholeheartedly support all the motions before this House.

Mr. W. C. WORDSWORTH: I wish only to refer to two or three sentences spoken by a member across the House. I have read that the best kind of youth is the boy who has spent several years of his life in a public school and shows no trace of it. But such admirable people are unknown because the experience is impossible. It seems possible however for an older man, who has been through the Civil Service, who has spent his life in the Civil Service, and has just retired from the Civil Service, to drop the moment he retires, as merely the temporary pomp and circumstance of his office, all the traditions of that Service, including among others the glorious tradition of giving another man a reasonable show and not condemning him without a hearing.

We are asked to believe that the police of Calcutta are easily excited and rattled and the reason is that the Commissioner of Police himself is excitable and excited. The proof of that is that a lady, an English lady—though I do not see how the adjective improves his argument—known to the speaker, called upon the Commissioner of Police and found him so excited and busy that he was unable to give her more than a minute or two's attention.

5 p.m.

Such an argument, Sir, I submit, is very unfair, and almost insulting to the dignity of this House. The Commissioner of Police has a very difficult time indeed, and his defence can be left to more competent hands than mine. But I should like to say that there are many in this House who resent the attempt to discredit a distinguished public servant and damage his professional career by an argument of this sort.

Mr. B. C. CHATTERJEE: Sir, I am afraid our arguments are turning into a squabble, which is very undesirable. I can imagine the difficulty of my European friends here in discussing a matter like this. As you know, Sir, whenever a policeman comes across a European, he becomes so servile, his *salams* are so profound, his politeness becomes so marked, that an Englishman cannot imagine that that very creature *salaming* and ready to do him every bit of service, gets converted into a different species altogether when he comes across an Indian. I say it is difficult for English people in this country to understand this. The English people would not believe us when we say that the police, specially the *pahrawalla*, does not treat us with half the respect with which people in England would be treated by the English police. They cannot imagine that a policeman who, when he sees an Englishman, feels his backbone melting down, could assault an Indian. I can assure them that we are not here merely to talk idly about this matter, we are in grim earnest about it; and any one of us can say from his personal knowledge that the Indian police do beat these various young men, and sometimes young women, who are out with processions, or otherwise practising civil disobedience of one sort or another. They are beaten. It is an absolute fact that Mr. Subhas Chandra Bose was assulted last year in front of Whiteaway's. I took this matter up to His Excellency the Governor, and we had a discussion over it and His Excellency——

The Hon'ble Mr. W. D. R. PRENTICE: Sir, is the hon'ble member in order to bring in His Excellency's name?

Mr. B. C. CHATTERJEE: I was going to say that we had a discussion over this——

Mr. PRESIDENT: Order, order. I think you had better not mention His Excellency's name with reference to a private conversation nothing about which is known to the members of this House. It may also be taken as an attempt on your part—I do not say a deliberate attempt—to influence the vote of this House by bringing in His Excellency's name. As an astute reader of the parliamentary procedure, I am sure you know that this is never done in the Parliament. The King's name is never raised in any debate in the Parliament to influence the vote.

Mr. B. C. CHATTERJEE: Sir, I am very grateful for the direction you have given me. I referred to His Excellency because oftener than not he is the only person who listens to our grievances; but I drop it. What I wanted to say is that it is not always possible for Englishmen to believe that the Indian police beat our young men. But my open offer is, if the European members of this House would make an appointment with me, I would bring at least half a dozen of these young men with marks of terrible cane-beating on their backs. The very sight of these marks will convince you that they were not self-inflicted and that they must have been inflicted on them by some outside agencies; and you will be convinced that these cane-marks were inflicted on them by the police in the course of fighting civil disobedience. We know that Mr. Subhas Chandra Bose was assaulted, we know that Miss Ganguly who went to protect Mr. Subhas Bose had her finger badly hurt. The whole question is whether this is going to be stopped or whether this is going to continue. A very high Government official (whom I would not name) told me that in the days of his boyhood he got a birching from his "governor" whenever he did things that were wrong; and he said that that did him good. And so, he stated, the beating did the civil disobedience-*wallahs* good. Well, I thank that high official for his frankness. There is candour, there is honesty in that admission. Let Mr. Prentice have the candour to tell us that these boys, and sometimes these girls, have to be beaten in the spirit in which English boys are beaten by their fathers. If that is your policy, let this be admitted; but do not falsify your position by saying that your police do not beat us. When you say that, you merely add insult to injury, you untruly tell us that we are not truthful. If Mr. Prentice will give me an opportunity, I will bring along these boys with the cane-marks on their backs before him; surely that will carry conviction that these policemen do beat our young boys in the streets.

We have seen the *pahrawalla* and the sergeants beating our young men and young women, and leaving bleeding marks on them. We want to put a stop to this, and we want a definite assurance from the Hon'ble the Home Member that it is not going to happen any more, because if this sort of things goes on, you can quite understand what bitter feelings must necessarily be engendered. I just ask you to put yourselves in our position, and ask you to realise what your feelings would be if these things happened in your own country.

Now, I come to some other matters, Sir. At the present moment in Calcutta, we have a Chief Presidency Magistrate who unfortunately happens to be a countryman of ours. But this gentleman has been denying the political prisoners or offenders brought up before him much of the amenities and the facilities which were granted them by his predecessor in office, Mr. Roxburgh.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, the Chief Presidency Magistrate is not a police officer.

Mr. B. C. CHATTERJEE: Well, Sir, I have already said what I wanted to. Mr. Prentice's interruption comes too late. But I would mention another matter, and that is the horrible place in which our young women are locked up pending their trial—I mean the Lalbazar lock-up. I am afraid I can give any number of instances—very recent ones—in which our women who were taken up to the Lalbazar lock-up were subjected to an experience which is far too horrible to contemplate or mention. I do not want to go into the details of these cases because they will not be pretty hearing. But I ask the Hon'ble the Home Member to take up this matter and inquire closely into the state of things which obtain at the Lalbazar lock-up. It is impossible for our young women to be shut up there without feeling a galling sense of shame and indecency. The police people who are in charge of this lock-up are absolutely callous, and do not possess any sense of decency. Surely, these are *the* things to be looked into by the Hon'ble Member in charge of the Police portfolio, and we want an assurance from him that he will see that women are not taken to the Lalbazar lock-up, but that they shall be housed somewhere else after their arrest. We want him also to give us an absolute assurance that people are not going to be assaulted by the police. Let them be arrested and let them be taken to the lock-up when they are breaking the law. But do not assault them. You have no right to assault them. It is a downright fact, I say, that they are assaulted, though the European members may get up and say that they are not assaulted. How can my friend Mr. Campbell Forrester or Mr. Wordsworth be heard to say that they are not assaulted? How are you in a position to say that the police do not assault them, when we say that our young boys and young girls are assaulted by the police.

Mr. J. CAMPBELL FORRESTER: Sir, I never said that the police do not assault them.

Mr. W. C. WORDSWORTH: On a point of personal explanation, Sir. I made no reference to this subject at all in my speech.

Mr. B. C. CHATTERJEE: Sir, if my European friends are willing to admit the fact that the police do beat these boys and girls before they are arrested, we get rid of one difficulty in the matter. If they are at all true to their English principles, they should vote with us in this matter.

Mr. J. CAMPBELL FORRESTER: Sir, I was going to say that as far as——

Mr. PRESIDENT: You should not rise when another member is speaking, unless you are raising a point of order. Mr. Chatterjee, I would like you not to address your remarks to the members of the House, but if you have got to say anything to them, you should speak through me.

Mr. B. C. CHATTERJEE: Thank you, Sir. This debate, I understand, is not going to be over to-day. If that is so, I hope we shall be able to satisfy the European members about the absolute truth of our statements; and if they are true to their British instincts, they should vote with us to-morrow morning. I give them that chance, and if they take advantage of it and go to vote against Mr. Prentice, then I should know that they have not forgotten their English instinct.

Now, Sir, as regards the Hon'ble Mr. Prentice, I ask him once more to give us the definite assurance that he will issue positive orders that people should not be assaulted before their arrest, and that condign punishment shall be meted out to the police officers and men if they are found assaulting any man or women. In this connection, I also ask Mr. Prentice to abolish the post of the gentleman sitting behind the Home Member—I mean the Press Officer.——

The Hon'ble Mr. W. D. R. PRENTICE: Sir, may I also point out that the Press Officer is not a policeman.

Mr. PRESIDENT: Leave him alone for the time being, Mr. Chatterjee.

Mr. B. C. CHATTERJEE: It is difficult, in this connection, to leave him out. What I wanted to say is that the Press Officer——

The Hon'ble Mr. W. D. R. PRENTICE: I have discussed the matter in connection with the General Administration demands and it cannot be brought again for discussion under the police vote.

Mr. B. C. CHATTERJEE: The discussion was guillotined. We never had a chance, Sir.

The Hon'ble Mr. W. D. R. PRENTICE: That is no reason why he should be allowed to bring in irrelevant matters under this vote.

Mr. B. C. CHATTERJEE: My point is that these misdoings of the police cannot find a place in the newspapers, and I wanted to refer to our difficulty in getting the truth of these infractions of the law by the police——

The Hon'ble Mr. W. D. R. PRENTICE: *On a point of order, Sir. Is the speaker in order?*

Mr. PRESIDENT: I am afraid Mr. Chatterjee cannot talk of abolishing the post of Press Officer while speaking on the motion now before the House.

5-15 p.m.

Mr. B. C. CHATTERJEE: All right, Sir, but the Hon'ble Mr. Prentice, Sir, with all his gifts, is a bad lawyer. His sense of relevancy needs improving. The police are tempted to unreasonable behaviour because of the cover you provide them under the fact that reports of their misdeeds cannot be published in the newspapers under instructions given by the Press Officer.

Mr. NARENDRA KUMAR BASU: I understand that the motion that we are now discussing, No. 700, discusses the "want of facilities for calling public attention to the misconduct of the Presidency Police and public officers functioning as such" and as such I would venture to remark that all the remarks addressed by Mr. B. C. Chatterjee before his last sentence were liable to be overruled as irrelevant. But his remarks about the want of facilities for calling attention to the misconduct of the Presidency Police, they are certainly relevant. I submit that I shall go on with the misguided activities of the Press Officer unless, Sir, you hold that it would not be relevant to the present discussion. The reason is "want of facilities for calling public attention to the misconduct of the Presidency Police, etc., etc." It is the Press Officer who, by his misguided activities, has in a way prohibited the Indian newspapers of Calcutta to publish these news.

Mr. PRESIDENT: If I understood you aright your point is that the Press Officer indirectly helps the police by not letting out what you call their misdeeds. Is that your point?

Mr. NARENDRA KUMAR BASU: My submission is that the want of facilities for calling attention to the misdeeds is due to what the Press Officer does with regard to the Indian newspapers.

Mr. PRESIDENT: Do you think that if the police is to be corrected, it is necessary to point out that the Press Officer is in a manner helping them by not letting out what you call their misdeeds?

Mr. NARENDRA KUMAR BASU: Exactly.

Mr. PRESIDENT: You will be in order to do so but you cannot attack the post itself.

Mr. NARENDRA KUMAR BASU: I submit that we have already heard in this Council that the Press Officer appointed by the Government of Bengal gives advice gratis to the editors of newspapers. We were told some time ago that the Calcutta editors had at some unmentioned period stated that they did not know how to carry on their duties with the halter of the Ordinances round their necks, and therefore, the Press Officer has, whether under the guidance of the Hon'ble Member or not, taken upon himself to give instructions or advice gratis to the editors what to publish, how to publish and how to set up the news in their columns, and also what not to publish. I think this sort of grandmotherly attitude of the Press Officer towards the Calcutta newspapers is highly deplorable. If it were necessary for the editors to know the limitations of their own work let them find them out for themselves, but it is no use the Press Officer giving them advice; more often than not it degenerates into coercion and threat. We all know that the work of editors or managers of newspapers under the Ordinances is very hard and at the slightest pretext they may find themselves subject to rigorous penalties. If under these circumstances a hint is given by the Press Officer or by the Department which is responsible for law and order to the editors or managers what to say or what not to say I think it is a most unwarrantable interference with the duties of the newspaper-owners. I think that is more responsible for the concealment of news regarding the misconduct of the police than anything else. If the press had been given a free hand we should have heard more of these misdeeds, not only we but the Government itself would have heard more of it, and probably the conscience even of the Government would have been stirred by the volume of indignation provoked by those news of misdeeds themselves and probably the offenders would have been brought to book. But concealment of these news by means of threats and warning has really lulled the Government into false security. I think, therefore, that the activities of the Press Officer responsible for this want of facilities should be checked.

Mr. SHANTI SHEKHARESWAR RAY: It was certainly a very happy idea on the part of Government to nominate a Press Officer as a member of the Legislative Council in Mr. Sen. This gentleman by his amiable manners has to a great extent turned away our wrath against the Press Officer. So far as our grievances as members of this Council are concerned we were under the impression that the Press Officer had issued instructions to the press not to publish detailed proceedings of the House but I was glad to hear from him the other day that it was not correct and that he had never given such instructions. We have no such grievances in the matter——

Mr. PRESIDENT: We have nothing to do with what private conversation you might have had with him.

Mr. SHANTI SHEKHARESWAR RAY: I am just trying to put in a few words in favour of the Press Officer which I hope he will not resent. But though we have no personal grievance against him as members of the Legislative Council I should say that his activities in certain other spheres have caused resentment among the people. I think it is no part of the business of the Press Officer to issue orders to the press to suppress any piece of news that newspaper editors on their own responsibility may like to publish. There may be certain classes of news which it may not be to the interest of the public to publish and which may inflame public opinion, but in that case I think there is a provision under one of the Ordinances that the acts of the police are not to be published in any newspaper. But the situation has not developed to such an extent all over the province but only in certain districts. So such action can only be taken in those areas, such as Chittagong.

Coming back to the conduct of the police I do not want to criticise the actions of individual members of the force here and there, because I realise that whatever they do they do with a sense of discharging their own duties, and if some of their actions cause resentment in the minds of the public I think that resentment should not be against those particular officers, but against the Government who is responsible for the policy that they as servants of Government are carrying out or have carried out, for the sake of their bread. If a Rs. 25 police constable beats a particular individual I realise that he is not a monster because in his heart of hearts he sees the injustice of the whole thing just as any one of us, but he is helpless; he must do that dirty work for the sake of his bread and butter, his family and children. Perhaps he has received express orders from his superior officers to do that and he is intelligent enough after all to anticipate the policy of Government. He knows that if he does this and that, his superior officers will be pleased; if, for instance, he gives a blow to a Congress volunteer, he will not be taken to task but his act will be commended in that he has done something to preserve law and order in the country. I would therefore ask the Hon'ble Member to change the mentality of their officers by impressing upon them that it is not the intention of Government in any way to suppress or to oppress the British subjects in this country. Sir, the House has heard from different speakers various incidents which prove that the police is more or less oppressive. Certain instances have been broupht to my notice which exhibit their acts in a particular bad light. They should be very careful in dealing with the women-folk in this country. I shall only place one case before the House to illustrate to what depths the administration has sunk. Sir, a lady of great eminence and very highly connected, I refer to Srijukta Urmila Debi, sister of the late revered Deshabandhu Chittaranjan Das, was placed under arrest—or perhaps I should not use the word

"arrest" because it is difficult to find out when a man is arrested or "detained"—I will only say that she was taken into police custody and was not brought before any court of justice for more than 36 hours which, I am informed, is quite illegal, and after that period she was let go by the police.

5-30 p.m.

I ask, Sir, what explanation the Hon'ble Member in charge of the Police Department has to offer in regard to such conduct on the part of the police.

Dr. AMULYA RATAN GHOSE: Sir, I beg to support the motion. I have seen some of the activities of the police. There are three kinds of action taken by the police. Sometimes the volunteers of the civil disobedience movement are simply thrashed and beaten away from their places of activities. Sometimes they are taken away afterwards to a thana or to some outpost in the town and after being detained there for hours they are let off. Another kind of action taken by the police is that these volunteers are beaten mercilessly—beaten to such an extent that surgical and medical aid are required. Of course if they are arrested and placed on trial straightaway, we have nothing to say and no grievances to make, but I do not understand the policy of beating and then driving them away or putting them on their trial before a law court after beating them mercilessly. These acts are not sanctioned by any law—either by moral law or by the laws of the land which prevail at the present moment.

Sir, we are really sorry that some young men out of their love for their country, or whatever it may be, resort to breaking the law. But at the same time we cannot ignore that those who are the guardians of law and order, who are paid from the public funds to maintain law and order, should break the law. It is the most deplorable part of the thing and on the floor of this House we should certainly condemn in emphatic terms such action on the part of the police and such policy if in any way approved by Government.

With these few words I support the motion.

Mr. SYAMAPROSAD MOOKERJEE: Sir, I should like to say a few words in support of the motion now before the House. I feel, Sir, that we have not gone to the root of the question which we are discussing to-day. It is all very well for us to say that the police sergeants or the Indian officers are responsible for the assaults that are committed. But, Sir, the Hon'ble Mr. Prentice ought to know, if he does not know already, that there is a strong feeling in the minds of the public that these assaults do not represent any individual action but represent a deep-rooted and

a deliberate policy which is being at present pursued by the Government. Sir, it is not merely a policy of introducing ordinances, whose object is to deprive the citizens of their elementary rights, but the policy is to terrorize people by beating them—I would not go to the length of saying by beating them to death, although there have been some such instances within our knowledge. I would ask the Hon'ble Member to ponder over the question seriously. Has this policy succeeded? What was the reason why this policy was introduced? That the people of the land being terrorised would give up their fight for freedom? But I ask, Sir, has this policy succeeded ever in the past or in the present instance? Has not the result been more hatred and more bitter animosity against the Government itself? Sir, that is the actual result of the present policy which is being pursued by Government. I, therefore, say that instead of merely attacking the police officers, whether they are European sergeants or Indian officers, the real party which ought to be attacked is the Government.

Sir, as regards the Press Officer, I am glad from one point of view that some opportunity has been given to the members of the House to discuss the activities of this officer—although to a limited extent. It is a fact that the Press Officer has been issuing instructions— you may call it advice, you may call it orders, in whichever term you may describe it—but the Press Officer has been issuing instructions to the Press that they must not publish in the newspapers details about assaults committed by the police. Sir, there have been cases where allegations of police assaults have been made by persons in the course of judicial proceedings in the court; but on the next day no such report of police assaults was published in the papers. I quite see, Sir, the object of the Government in issuing such instructions. If the object of the Government had been that these indiscriminate assaults should be brought to an end, certainly they would have encouraged the publication of such reports, because then it would have been possible for the Hon'ble Member to take proper steps against the particular police officers against whom charges had been brought. But that is not the policy. This repression must go on; these indiscriminate assaults must go on and naturally it is not desirable that such reports should see the light of the day. Some time ago a leading Sylhet paper, the *Janasakti*, was called upon to pay down Rs. 2,000 as security for publishing the reports of certain assaults committed by the police. Government is not anxious to contradict the reports of such assaults. In many cases it cannot, because they are based on facts, but it demands security from the newspapers, so that in future no such reports may be published at all.

I would ask the Government once more to consider how long will the present policy go on. It is ruining the prestige of Government. True it is that a large number of associations have been declared illegal. True it is that the newspapers are not allowed to give expression to their

feeling of indignation as they used to do some time ago. But the undercurrent feelings of contempt and hatred are becoming stronger and stronger every day. If Government is not prepared to reconsider its present policy, its own future is doomed.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I feel very considerable difficulty in dealing with this debate starting as it did with the Presidency Police and ending with something regarding a newspaper in Assam. But I will deal with the last speaker first, because he seems to think that Government had a policy of terrorism. I deny that absolutely: there is no such policy, and Government is always against such a policy. I challenge Mr. Syamaprosad Mookerjee to produce evidence justifying that statement.

Mr. SYAMAPROSAD MOOKERJEE: What about Chittagong?

The Hon'ble Mr. W. D. R. PRENTICE: I said that I would make a statement about Chittagong in due course.

What I now say is that there is no such policy, and whatever is done by the police is not in accordance with such a policy of Government. I am not trying to put the blame for anything on the shoulders of the police, but I absolutely deny that there is any such policy and I would ask the members of the Council to produce any evidence they have to justify such a charge.

Next I come to the charges against the Press Officer. Sir, the Press Officer has come in for a good deal of attack. I also deny absolutely the allegation that the Press Officer issued any instructions to the Press not to publish reports of assaults made by the police and I challenge any member of the Council to produce any orders or instructions that are alleged to have been issued by the Press Officer.

VOICES: What about the telephone messages?

The Hon'ble Mr. W. D. R. PRENTICE: You may say that many such instructions have been issued on the telephone; but I absolutely deny this. I know the instructions that have been given to the Press Officer and I know some of the instructions that have been issued by him; and I deny that any orders have been issued by the Press Officer forbidding the publication of reports of assaults by the police. Some members of the Council questioned whether the Press had asked for the assistance of the Press Officer. I may tell them that after a certain meeting at Government House two leaders of the Press came to see me and bitterly complained that there was no means for them to get assistance from the Press Officer. Under "22—General Administration," we had several proposals to abolish the post of the Press Officer and I am perfectly certain that no one would have been more glad than

Mr. B. R. Sen if this post had been abolished as a result of one of these motions, because he does not get anything extra for this work. But the people who will suffer by the abolition of this post will be the members of the Press themselves. Members of the Council get up here and make accusations against the Press Officer without knowing the full facts. As I said, two very responsible men connected with two of the biggest papers in Calcutta came personally to me about it and requested me to issue instructions to the Press Officer to give them assistance in the matter of the publication of news.

VOICES: Who were they? Were they connected with the *Statesman* or the *Englishman*?

The Hon'ble Mr. W. D. R. PRENTICE: No, but two Indian papers.

Mr. NARENDRA KUMAR BASU: On a point of information, Sir. Has Mr. Prentice seen the resolutions passed at a meeting of the Association of the Indian Journalists? Did they not bitterly complain against the interference of the Press Officer?

The Hon'ble Mr. W. D. R. PRENTICE: I have seen some of the resolutions of the Indian Journalists' Association, but I do not remember what they referred to. In any case two journalists approached me. (A VOICE: What are their names?)

As I said, two gentlemen connected with two of the biggest newspapers in Calcutta spoke personally to me and asked for the assistance of the Press Officer. When I see the names of the office-bearers of the Indian Journalists' Association, I shall be able to say if the two gentlemen referred to are included in them or not.

5-45 p.m.

Now to turn to the police. I must confess to experiencing an atmosphere of unreality in this discussion. It was only one of the later speakers who admitted at all that the present discontent is very largely due to the fact that a large section of the community have set out to disturb the public peace. The initiative for what is going on at present is not in our hands. We are trying to maintain the public peace against those who are out to break it, and ordinarily I should have expected a little more gratitude to be shown by the members of Council to the police for all that they had been doing in Calcutta. I only speak of Calcutta because we are at present discussing the Presidency Police.

Maulvi SYED JALALUDDIN HASHEMY: Gratitude for breaking heads!

The Hon'ble Mr. W. D. R. PRENTICE: No, but for all that they have done in maintaining public peace in very difficult times. After all, Sir, the police are human beings like you and me, and personally considering all that has happened from time to time, I am rather surprised that there were not more complaints. Yet although general complaints have been hurled at the police this afternoon by several members, the strange thing is that there are only one or two individual members who have made specific complaints. It is a very easy thing to collect gossip about the police, but it is regrettable that members should cast aspersions at the police, and ignore the dangers which they face in protecting the people. As regards specific complaints, we were told of the incident at the Ochterlony Monument and Mr. Hashemy told us something of what happened at Sradhananda Park on the 4th January. According to him something very terrible went on at Sradhananda Park. When I received the notice of the motion on this subject, I called for the papers. It seems rather a surprising thing that there was nothing in the Secretariat about it, considering what according to Mr. Hashemy had happened there. There was not a single paper in the Secretariat, not a single complaint about the doings at Sradhananda Park and we usually get a lot of complaints regarding these cases——

Maulvi SYED JALALUDDIN HASHEMY: Sir, does the Hon'ble Member deny that a large number of people fainted there?

The Hon'ble Mr. W. D. R. PRENTICE: I am going to deny something that he did——

Mr. PRESIDENT: I think it will be impossible for me to control the debate if members exchange words in this fashion.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I was present at the Park on that occasion.

Mr. PRESIDENT: Mr. Hashemy, you must observe the rules of debate. You cannot rise and interfere with a speech when the member does not yield to you. It is not also desirable for the speaking member to answer any question until it is actually admitted and then again the answer should be given through me.

The Hon'ble Mr. W. D. R. PRENTICE: Well, Sir, among the other things he said in connection with that meeting, Mr. Hashemy alleged that a notice was not served. That, of course, is not correct. A notice was served on that date.

Mr. J. N. GUPTA: Mr. Hashemy did not say that.

Mr. PRESIDENT: I cannot allow this sort of interruption.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, when the person presiding over the meeting arrived, the Commissioner's order forbidding him to hold the meeting was served on him, and he replied that he would contravene that order and hold the meeting.

Maulvi SYED JALALUDDIN HASHEMY: Sir, on a point of personal explanation——

Mr. PRESIDENT: Order, order, I cannot allow you to interrupt the Hon'ble Member.

The Hon'ble Mr. W. D. R. PRENTICE: Then, Sir, the persons who were attending the meeting were ordered to disperse and when they failed to do so, then under the powers given to the police under the Criminal Procedure Code the meeting was dispersed. That, I submit, was legal action taken after due notice had been given. That meeting was being held in deliberate defiance of an order duly served, and the result that happened was inevitable.

The next incident referred to was the one that happened at the Ochterlony Monument. Well, Sir, I think that if members will cast their minds back to Independence Day—I use that phrase because its use is associated with the 26th January for the purposes of these demonstrations—they will remember that there was a considerable amount of apprehension in Calcutta about what would happen on that day, and when the day finished, there was a great sense of relief that there had not been any serious clashes as were expected. It is perfectly true that there was a collection of people at the Ochterlony Monument, but I think one speaker did mention the fact that the police had taken time by the forelock and put a cordon round the place. The trouble that arose was not because the police attacked the people, but because the people from outside tried to force their way through the cordon into the part of the *Maidan* near the Monument at which the meeting had been forbidden. Sir, I ask the Council in all honesty who is to be blamed for that. Is it the police, or is it those ladies and others who tried to force their way through the cordon? Is it fair to attack the police because when they had taken special precautions, people came along and tried to break through the cordon to hold an illegal meeting?

Maulvi SYED JALALUDDIN HASHEMY: What about the injuries on Arati Bibi?

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I have never heard of the lady before this evening. If he had given me the details beforehand, I would have inquired into the matter. In that general connection,

may I remind the House that if people who are arrested bear any marks of injury on their persons, these are recorded in the jail registers? If any of the persons referred to in the debate were arrested, I cannot think for a moment that the jail people deliberately did not take a note of the injuries that these persons had. If you will give me the names of the ladies, I will ask my colleague in charge of the Jails to call for a report from the jail to which they were sent as to the injuries they had when admitted and that will be an independent report.

Then, Sir, Mr. Gupta referred to some occurrence at the Curzon Park but he gave us no details. He did not mention the month, or the date of that occurrence and I am sorry that I can give no information regarding it. The only thing that he did say was that they were displaying a flag, and the presumption is that these people were engaged in a demonstration in support of civil disobedience and the police were doing their duty in dispersing the people so engaged. I think that Mr. Gupta as a past Commissioner would recognise that it was a part of the duty of the police to disperse an unlawful assembly.

Mr. SYAMAPROSAD MOOKERJEE: An assembly of one person?

The Hon'ble Mr. W. D. R. PRENTICE: I do not know the case, because Mr. Gupta did not give any details as to what happened, but I can safely presume that the police did not worry themselves about one person.

Then, Sir, there is the other incident, with which Mr. Wordsworth has dealt with, about an English lady who found Mr. Colson rather excited one morning and from that Mr. Gupta inferred that the whole Calcutta Police were inefficient. I think that Mr. Wordsworth has sufficiently dealt with that point.

Then, Mr. Shanti Shekhareswar Ray has dealt with the case of Mrs. Urmila Devi who was detained for 36 hours. Mr. Ray has given me no details and as presumably the lady was produced before a court, she could have made an application to the court. If Mr. Ray had given me the details, I could have looked up the case.

Then, we come to the incidents about the beating of boys and girls, and in this connection I would like to deal with the constructive proposal of Mr. J. N. Basu that we should follow the instructions issued by the Government of India and take special care about the action taken in connection with the civil disobedience movement. I regret he did not mention this to me earlier, or I would have told him that as soon as the movement started, we put a special officer on to this work. Mr. Twynam, a senior Civilian, has been the special officer in the Chief Secretary's office on this work since the movement started, and the main part of his work has been to look after the administration of the ordinances and the measures taken under them, and to issue a series of instructions or orders on the subject. I can assure you that he keeps the closest

watch on all that is done in this connection. Some members of the Council have mentioned to me from time to time one or two cases in which they thought there had been an abuse of power and I have taken particular care on going back to the Secretariat the next day to ask Mr. Twynam to look into them. As a matter of fact, this very morning when I was in the Secretariat before I came to the Council, I was discussing with Mr. Twynam certain aspects of the movement and on the action to be taken by Government. I can assure Mr. Basu that it is not the case that Government have handed over the administration of the ordinances to their officers and are taking no care to see what is being done. We have put a special officer on to the work and he watches very carefully the situation. At present we get from the districts and Calcutta every week reports about the civil disobedience movement and we keep ourselves in the closest touch with all what is going on.

Mr. Basu also wanted action taken in regard to his suggestion to issue accounts of incidents to the Press. It is rather difficult to take such action. On one side we are told that the Press Officer does not permit anything to appear against the police and on the other we are asked to see that correct accounts of the incidents that are reported against them do appear in the Press. Well, I do not know what the general feeling of the members of Council is, but I think that there is a great deal of truth in what one member said that even if Government did issue their accounts of the incidents, the natural presumption would be that they were false and nobody would pay any attention to them.

Mr. SYAMAPROSAD MOOKERJEE: Why is that so?

The Hon'ble Mr. W. D. R. PRENTICE: I think it is so, because—I am trying to use a polite expression—of the mentality of the public.

6 p.m.

I was talking the other day to a man in another service of the Government, and he said that it was a marvel to him that the police, for whose work he had the greatest admiration, were as good as they were. He said that from the day they enter the service, the presumption seems to be that everything they say is false, and everything said against them is true. There is a great deal of truth in what he said. From what Dr. Naresh Chandra Sen Gupta said, when anything is told you about the police, you start by believing it. His argument was that witnesses should be summoned, so that the police could have an opportunity of disproving what is said against them. According to him in the case which he mentioned, nobody had done anything right; the Tribunal paid no attention—and that Tribunal consisted of 3 High Court Judges—to the complaint; the complaint was brought before the Chief Presidency Magistrate, and he did nothing; when the complainant

appeared before the Deputy Commissioner of Police, he also did not do anything, or reply to the pleader's written complaint. The whole point of Dr. Sen Gupta's speech was that everything should have been done to disprove the charge against the police. That, I am afraid, is the mentality of the people who attack the police, and that is really the serious part of the present situation. I took down one sentence of what Dr. Sen Gupta said that in connection with cases like this we should "bring it home, by adequate punishment to these policemen" that these things would not be tolerated. I took down the words.

Dr. NARESH CHANDRA SEN GUPTA: Yes, but not in connection with that case.

The Hon'ble Mr. W. D. R. PRENTICE: The serious part of the situation is that you are getting nearer and nearer to the time when you are going to have full responsible Government, and the police are going to be under a popular Minister. Is it not about time that you should show some sense of responsibility and realise that it is the police who are acting as a bulwark against the forces of disorder, and should make it easier for people in authority to see that the force is as perfect as it should be? It is about time that responsible leaders of the people recognised this. What is going to be the position if you continue to believe that everything the police say is wrong and everything that the public say against the police is right? You are making it infinitely more difficult for us by making these general allegations, because, I am perfectly willing to admit that so long as the mentality of the people is against the police, so surely there will be a corresponding tendency on the part of those who are responsible for them to demand strict proof of all allegations and to refuse to assume that all that is alleged against the police is correct. The senior officers of the police are the last people in the world to want illegalities to be perpetrated, as they make their work infinitely more difficult. All of us want illegalities to stop, and we are doing everything we can to stop them, but we cannot do it by ourselves. We must have the co-operation of the people. We must not only be in a position to right the wrong when there are individual and definite instances of wrong; we must also get your help to refute them when unfounded charges are made. But what is the present position? When the police are protecting you from disturbed conditions as at present, instead of gratitude, they meet with the greatest ingratitude, and unjustifiable charges are made against them. I would ask the Council to recognise that the people have a responsibility towards the police. We on our part are doing our utmost to prevent illegalities and things like that, and will continue to do so, and for your part we ask for co-operation from you with the police and not against the police.

Dr. NARESH CHANDRA SEN GUPTA: On a point of personal explanation, Sir. Mr. Prentice has given an account of what I said which is absolutely wrong. I did not say that the Special Tribunal did nothing; I said it had no jurisdiction to deal with the complaint and sent it on to the Chief Presidency Magistrate who forwarded it to the Commissioner of Police for inquiry. I did not say I expected the police to disprove the charge; what I did say was that the complainant's pleader wanted an opportunity to prove his case, but the police did not give him that opportunity.

The Hon'ble Mr. W. D. R. PRENTICE: I assumed that the complaint was before the Chief Presidency Magistrate. When the police report was before the Chief Presidency Magistrate, did not the pleader have the opportunity of appearing before the Chief Presidency Magistrate?

Dr. NARESH CHANDRA SEN GUPTA: He did apply.

The Hon'ble Mr. W. D. R. PRENTICE: And what did the Chief Presidency Magistrate——

Mr. PRESIDENT: This is all very irregular. I am afraid Mr. Prentice was addressing his followers in the Council, and not the Chair. Dr. Sen Gupta arose when Mr. Prentice was speaking. This makes it very difficult for me to conduct the business of the House.

The motion of Munindra Deb Rai Mahasai was then put and lost.

The motions of Maulvi Syed Jalaluddin Hashemy were then put and lost.

The motion of Babu Jatindra Nath Basu was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Ali, Maulvi Syed Nausher.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chatterjee, Mr. B. C.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Dutt, Rai Bahadur Dr. Haridhan.
Fazlullah, Maulvi Muhammad.
Ghose, Dr. Amulya Ratan.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Maiti, Mr. R.
Mittra, Babu Sarat Chandra.
Mookerjee, Mr. Syamaprosad.
Poddar, Mr. Ananda Mohan.
Rahman, Maulvi Azizur.
Rai Mahasai, Munindra Deb.
Ray, Mr. Shanti Shekhareswar.
Ray Choudhury, Babu Satish Chandra.
Rout, Babu Nosoni.
Roy, Babu Satyendra Nath.
Roy Choudhuri, Babu Hem Chandra.
Sahana, Babu Satya Kinkar.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Armstrong, Mr. W. L.
Bai, Babu Lalit Kumar.
Bai, Mr. Sarat Chandra.
Barma, Rai Sahib Panchanan.
Bartley, Mr. C.
Basir Uddin, Khan Sahib Maulvi Mohammed.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Rai Bahadur Kamini Kumar.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Sueil Kumar.
Ghose, the Hon'ble Sir B. B.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kasem, Maulvi Abul.
Kerr, Mr. W. J.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Lesson, Mr. G. W.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Momin, Khan Bahadur Muhammad Abdul.
Mullick, Mr. Mukunda Behary.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Amulyadhan.
Ray Chaudhuri, Mr. K. C.
Rees, Mr. J.
Ray, Babu Jitendra Nath.
Roy, Mr. Saileswar Singh.
Ray, the Hon'ble Mr. Bijay Prasad Singh.
Saadatullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Mr. B. R.
Sen, Rai Sahib Akshey Kumar
Suhrawardy, Mr. H. S.
Thomas, Mr. M. F.
Wilkinson, Mr. H. R.
Wordsworth, Mr. W. C.
Worthington, Mr. R. H.

The Ayes being 33, and the Noes 61, the motion was lost.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-25 p.m.]

Maulvi SYED JALALUDDIN HASHEMY: As regards the adjournment motion which you have allowed to be discussed at 4 p.m. to-morrow afternoon, I submit that it will be more convenient if the time is fixed from 5 to 7 p.m. because at 4 or 4-15 p.m. there will be one adjournment for prayer.

Mr. NARENDRA KUMAR BASU: If there is no objection, Sir, it would be very convenient to have the adjournment motion discussed at 5 p.m.

The Hon'ble Mr. W. D. R. PRENTICE: I think, Sir, the time, as has been agreed to, is quite suitable.

Mr. SHANTI SHEKHARESWAR RAY: It will be very convenient if the motion is discussed from 4 to 5 p.m.

Mr. PRESIDENT: As the Hon'ble Member has raised an objection, I think I should stick to the time already fixed. If the House had been unanimous on the point, I should have thought over the matter. As it seems, however, the House is hopelessly divided.

The following motion was called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,95,795 under the head '26A—Presidency Police—Calcutta Police—Supplies and services' be reduced by Re. 1 (abnormally heavy charges)."

Mr. S. M. BOSE: I beg to move that the demand of Rs. 4,29,812 under the head "26A—Presidency Police—Calcutta Police—Supplies and services and contract contingencies" be reduced by Rs. 101 (to discuss advisability of encouraging the use of indigenous goods, especially those made in Bengal, in the Calcutta Police).

My object in doing so is to get a declaration of policy from Government regarding the encouragement of *swadeshi* goods. We are deeply interested in the *swadeshi* movement; many of us remember, taking in the days of our youth, the vow which enjoined us to support India-made goods even at a sacrifice. Over a quarter of a century has passed since then; and we are still the advocates of that policy which now may be called the policy of "Buy Indian." But we advocate this not from a feeling of hatred of the foreigner, but from a feeling of love for our countrymen, a feeling which impels us to encourage them to produce goods here, and thus to earn a livelihood for themselves. This active feeling of love for our motherland and for its children is the living spring that keeps alive the *swadeshi* spirit. Now this policy was definitely and formally accepted by the Government of India in the famous Irwin-Gandhi Pact as embodied in the Government of India notification of the 5th March, 1931, clause (*5*) of which reads thus: "The position of the Government is as follows: They approve of the encouragement of Indian industries as a part of the economic and industrial movement designed to improve the material condition of India."

This is exactly the reason for which we advocate the policy of "Buy Indian." We want to encourage our people to earn a living, to help them to be self-reliant instead of hankering after service. We want to encourage our brothers and sisters to produce indigenous goods, which we shall find a market for. Now I want to know the position Government now takes up in this matter, after the recent events. Do they still accept the policy laid down in clause (*5*) of the Pact as above, or have they given it up because Lord Irwin is no longer the Viceroy, and Gandhi is in jail? What is the Government of Bengal doing to help the manufacture and sale of indigenous goods? Are

they actively encouraging this by placing considerable orders for the goods they require, with our countrymen? What is the total value of goods made in India purchased by Government, for the last few years? Is the figure on the increase? Further, I want the Government of Bengal to give preference to the products of Bengal as far as possible. The people of Bengal have a preferential claim and can naturally demand that Bengal goods should be taken, even at some sacrifice. Let the people feel that Government is at one with them, that Government is doing their best to improve the material condition of Bengal. Let Government follow a constructive policy of encouraging the economic regeneration of the country. Then they will find the people responding; the mist of mutual suspicion will disappear as soon as we find Government co-operating with us to improve our material prosperity.

Sir, the Government are mistaken if they imagine that *swadeshi* is sedition, that the desire to encourage indigenous goods is in any way to be put down. It is the popular impression that one of the objects of the various Ordinances is to crush the *swadeshi* movement and to help the British. I want Government to make it quite clear by declaration and conduct that this impression is unfounded. They know well that the Viceroy's writ does not run over our heart, that we are the masters of our soul, that any attempt to wean the people from the policy of "Buy Indian" will surely fail.

With these few words, I commend my motion for acceptance.

DEPUTY SECRETARY to GOVERNMENT, POLITICAL DEPARTMENT (Mr. B. R. Sen): Sir, I can assure the hon'ble member that Government are in full sympathy with the object of this motion. It is an established policy of Government to encourage indigenous industries and local purchases through local contractors as far as possible, and Presidency Police is no exception in this respect. The hon'ble member has asked for some information about the amount of *swadeshi* goods purchased and the value of such goods. I am afraid I am not in a position to give him that information just at the present moment, but I may mention that 90 *per cent.* of the clothing for Presidency Police is purchased locally through contractors several of whom are Indians. The purchases are subject only to two conditions. One is that a certain standard of quality is insisted upon, and the other is that in view of the necessity for economy, tenders with economical prices are accepted. The hon'ble member has inquired whether the recent happenings have made any change in the policy of Government in the matter. My reply is that there has not been any change in the policy of Government in the matter as a result of the recent happenings.

In view of what I have said just now, I would ask the hon'ble member to withdraw his motion.

The motion of Mr. S. M. Bose was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 2,35,856 under the head '26A—Presidency Police—Calcutta Police—Other contingencies—Rents, rates, etc.' be reduced by Re. 1 (to protest against the system of house allowances paid to certain numbers of Calcutta Police)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 33,44,000 under the head '26—Presidency Police—Calcutta Police' be reduced by Rs. 100 (to draw the attention of the Government towards unrestricted gambling going on in the carnivals throughout the year)."

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 33,44,000 under the head "26A—Presidency Police—Calcutta Police" be reduced by Rs. 100 (to discuss the bad method of traffic management).

Sir, the traffic management in Calcutta and also in Howrah is most unsatisfactory. It is common knowledge that buses which ply in the streets of Calcutta and Howrah are so overloaded with passengers that overcrowding is always to be seen. This thing is never cared for by the traffic police. I think they are the people who should keep the bus-owners under their control and not allow so much overcrowding in the buses and sometimes in tramcars. This difficulty is much more felt by the daily passengers who come to attend their offices with great hurry at a time between 9 and 10 a.m. On account of this overcrowding, many instances of accidents do occur. (A VOICE: Never.) One member says never. If he wants to have some definite cases, I can place before him at least two cases which occurred in the past.

6-45 p.m.

I can place before the House the accidents which have occurred in the past. One of the common causes of accident is this: that passengers not finding a place inside the buses prefer to remain standing on the footboards and thus cause accidents.

Then, Sir, take the management of traffic with regard to carts. If the Government want, I can prove it to the hilt that at every street crossing every carter has got to pay one or two pice to the constables for nothing. This practice of taking illegal gratification is taking place within the heart of Calcutta and Howrah and other places, without being checked in any way by the superior officers who hold control over the subordinate staff of the traffic police. Then, Sir, at times I have seen near the Howrah bridge approaches carters being mercilessly whipped

and beaten by the traffic police constables, beaten no less cruelly than the carters beat their own buffaloes. It excites the sympathy of every man who passes by these incidents and these incidents are frequent at places between the Howrah station and the Howrah bridge and the approaches to it. The carters are also human beings. We know they are poor people and are afraid of the police just as children are afraid of ghosts. They have neither money, nor position nor courage to bring their complaints to the notice of the higher authorities; so they patiently forbear all this ill treatment by the traffic police. The traffic police too on their part know that the carters are not able to speak a word against their unjust and cruel acts, so they illtreat and roughly handle them with impunity. I gave notice of this motion just to call the attention of Government in this respect. If these men do any wrong, violate any traffic rules or any law of the land, they should certainly be liable to punishment but not the punishment of the nature I have just described. What I want to impress upon the members of this House is that these people should be treated as human beings and not as so many beasts and should be also prevented from the molestation of the traffic police. I also think there should be better men at the control of this traffic department, which, I think, is much neglected, and that is why this sort of things are going on for such a length of time.

With these words I commend my motion to the acceptance of the House.

Mr. C. C. COOPER: Unfortunately, again, we have more bricks thrown unfairly at the police. I am afraid my experience is that it is the usual practice in this House. On this occasion last year my party had to criticise the traffic police on various points. I am happy to say that this year we do not have to do so, because I think the majority of the House will agree with me that there has been considerable improvement in the management of the traffic in Calcutta. There is still a good deal of room left for further improvement, but I do think that things are now better. When one thinks that the traffic control is largely left to illiterate constables on a very small pay, the manner in which they do regulate traffic is surprisingly good. There are, however, one or two points to which I should like to direct the attention of the Hon'ble Member. Last year Mr. Thompson who was a member of this Council drew attention on to the white lines and suggested that the use of the white lines might be made more generally known. As it is, the white lines are still there, but it seems that for the most part they are forgotten, with the result that the traffic runs all over them, so that it is difficult to ensure obedience to them. In London and Paris, and indeed anywhere else, such breaches of the rule of the road would be promptly penalised. Here, too often, traffic control is complicated by bullock carts, handcarts and bicycles. These handcarts and bicycles are an absolute source of danger as they think they are a law unto themselves.

They take no notice when held up by the traffic police who in turn take no action, whereas any breaches by taxis or anybody else are immediately reported.

Again, in London, traffic is not allowed to turn left at a corner but is held up with the main stream. But in this city there is the dangerous system of permitting traffic to move against police signal. My suggestion is that once traffic is stopped, it should be stopped in all directions and when traffic is released it should move on in one direction.

There is still the old trouble of Chowringhee being allowed to be the racing ground for buses. Too often three or four buses are permitted to race in echelon, and I do not know how many times the island near the Army and Navy Stores has been knocked down.

Again, the only places where the buses do not stop are at the stopping places. For instance, buses proceeding towards Writers' Buildings are not allowed to stop to the left by the Customs House but must proceed to turn and drop their passengers on the street corner by Writers' Buildings. In most cases they slow down on the middle of the street by the Holwell Monument and cars coming up behind not anticipating their movements might cause accidents which might be easily prevented, had they stopped at the proper bus-stops.

There is another question which has been referred to by the mover of the motion and that is the gratification alleged to be taken by the traffic police from bus-drivers and others. I do not know, I have no personal knowledge. I have seen one or two suspicious cases, but the general belief is that corruption among the traffic police is wide-spread. I think that it would be as well if the matter could be inquired into and if it exists, it should be put a stop to.

Mr. H. S. SUHRAWARDY: While realising the difficulties that the traffic police have to put up with because carts must move slowly, because buses must race, because cows must be permitted to wander in the streets and bulls must be allowed to knock anybody down whenever they wish to do so, one has to admit that in spite of these difficulties the traffic police have got many sins to answer for. I will not refer to the little toll which they take from the cartmen and the buses and the taxis and the rickshaws and the hackney carriages. It is necessary for the purpose of supplementing the very small public income which they enjoy. This is so widely known that it is not necessary to comment on it, although within the last year I know of several cases when policemen who have been stupid enough to get caught have been very drastically dealt with by the department. I will confine myself just to one or two instances of traffic irregularities, but before I do that, I should like to differ, if I may, from the opinion of the hon'ble member who spoke just before me that it is a danger to traffic if the traffic is permitted to go by the left against the signal ahead. This experiment of not permitting

traffic to go by the left is being watched at the junction of Old Court House Street and Waterloo Street, where the Traffic Department has put up red and green lights. If the traffic is permitted to go by the left instead of being held up, it will certainly relieve congestion, and I am not aware that by allowing this hitherto any accident has occurred. On the other hand, many persons who would otherwise have to wait for two or three minutes and hold up a long queue have been able to get away sooner and permitted other cars to come up.

One thing peculiar in connection with the traffic police is that the more the traffic is left to itself, the sooner it gets moving and the sooner the congestion is relieved. There are some places in Calcutta where it is impossible to regulate traffic; nevertheless, it gets rid of itself in a remarkably efficient manner because there are no traffic police to guide it. I refer in particular to the north-east corner of Dalhousie Square. Traffic comes from so many different directions and is so varied yet the traffic is able to get rid of itself much more quickly than four traffic constables regulating traffic near the Hall and Anderson's corner can get rid of theirs. This system of *laissez-faire* might be adopted in many places and many traffic police might be got rid of and put in their proper place, namely, in the reserved police.

There is one other point to which I would like to draw the attention of the Hon'ble Member. "No parking" boards have been put up in Dhurrumtollah Street. Dhurrumtollah Street is a very busy centre of trade and many persons go there for the purpose of shopping. These "no parking" notices, which are very liberal and are on both sides of the road, have practically paralysed trade. There is a counterpart of this in Bowbazar Street. I know that both the roads are busy thoroughfares: it is on that account that shops have been put up, and heavy rents are paid; but because they are busy thoroughfares, there is no reason why the shops should be killed. You must arrive at a reasonable compromise. The wealth of Calcutta is through shops and not through thoroughfares and traffic. The trade is being snatched away from these people, and the richer people who used to come there, are now going elsewhere, such as to Chowringhee, because of the inconvenience of parking cars. I submit that the matter should be reconsidered, as these notices do cause inconvenience to a large number of the shopping public and the shops that have grown up there are being starved.

7 p.m.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, it is interesting to hear the different views regarding the regulation of traffic by the police in Calcutta and I think every one will agree with Mr. Cooper that there has been an improvement in this respect in the city of Calcutta. The traffic in Calcutta is very heavy in different parts of Calcutta at different times, and when one remembers the huge amount of traffic that has to

be controlled in a big city like Calcutta, it seems extraordinary that it is done in such a successful way by the two or three policemen who are usually on duty near the junction of important thoroughfares.

The first point I should like the House to remember is that owing to the heavy demand, that are made on the police nowadays for other duties, the number of police officers on traffic duty has been reduced below that usually provided for this purpose. In order to find men for other emergent duties, instead of asking the Council for more men, we have tried to find them by reducing the number of policemen on traffic duty, and thus to avoid extra expenditure.

The discussion began with the overcrowding in buses. I do not know if Dr. Amulya Ratan Ghose has ever been in England and if he has experience of the buses and tube in London at rush hours. Nobody wants this overcrowding, but unfortunately the public are not as disciplined as the police, and in spite of the orders to the contrary, they persist in overcrowding the buses. We do our best to stop this, but we do not succeed. The remedy in this case lies more with the public than with the police.

The next allegation is about the carters and there is the usual story about the perquisites exacted by the police from them. It is difficult to do anything in this respect on account of the refusal of the carters to make complaints against the people by whom these perquisites are exacted. But as Mr. Suhrawardy has told you from his personal knowledge, there have been cases in which the police authorities have detected policemen taking this *bukshees* or *dasturi* and have taken severe action against the culprits. That is in accordance with the policy of the officers at the head of the police and it depends largely for its success on whether the people will support the policy of Government and assist them to put a stop to this evil.

I now turn to the suggestions made by Mr. Cooper as regards matters in which there might be further improvement. One of the matters he referred to was about traffic turning left. As Mr. Suhrawardy pointed out, an experiment in prohibiting this is being made at the crossing of Government Place North and Old Court House Street and in the notice that was issued when the signal lamps were introduced, you will see some explanation given as to why this is being done. Whether it is suitable or unsuitable at this particular place I cannot say. It is a matter of opinion whether a prohibition of turning left would improve matters generally. I am inclined to think that such a prohibition would increase some of the traffic blocks, *e.g.*, that in front of Chowringhee Mansions which is partly relieved by Park Street traffic being allowed to turn left and get clear. But in any case an experiment is being made in Old Court House Street and if it is successful, it will be introduced elsewhere.

As regards the white lines, which, Mr. Cooper said, were generally disregarded, I should be very glad if the police were to take more energetic action against people offending against the white line.

I myself have sad experience of the point referred to by Mr. Cooper about bus-stops near the Holwell Monument. It seems that the only place where a bus never stops is where there is a bus-stop. But we shall try to have some improvement effected in this matter.

As you all probably know, for a long time we have been wanting to strengthen the traffic police, but want of money has prevented us from taking up this question. We admit that there are defects and we are trying our best to improve things. I am glad to hear it admitted as I have said already, that there has been some improvement, and I hope the members will give us time to make further improvements.

Mr. Suhrawardy has referred to the notices of "no parking" in Dhurrumtollah Street and Bowbazar and the inconvenience caused thereby to the shopping public. That was discussed last year. If Mr. Suhrawardy knows anything about London, he will be able to realise the difficulties about parking cars in shopping areas. The orders regarding Dhurrumtollah and other commercial areas were published for criticism and they were carefully examined before they were issued, and I can hold out no hope of their being modified.

The motion of Dr. Amulya Ratan Ghose was then put and lost.

Maulvi MUHAMMAD FAZLULLAH: I beg to move that the demand of Rs. 32,06,990 under the head "26A—Presidency Police—Pay of establishments" be reduced by Re. 1 (to criticise the policy of Government in recruiting non-Bengalis to the ranks of inspectors, sub-inspectors, sergeants, assistant sub-inspectors, head constables, constables and Indian officers of the Armed Police, sepoys and temporary forces and other establishments in the Presidency Police Service).

Sir, it does not require any great intelligence to understand the reason that has led me to bring this motion before this House. When the cry has been raised in almost all the provinces in India that the loaves and fishes in various provinces should be reserved for the children belonging to the respective provinces, we do not understand for a moment why Bengal should be the dumping ground for the people belonging to other provinces. If Bihar be reserved for Biharies, the Punjab for Punjabis, there is no reason why Bengal should not be reserved for Bengalis. We know that this will eventually lead to provincial patriotism and jealousy, but if they are jealous of us, there is no reason why we should be liberal to them. We have tried our best in the past to accommodate the non-Bengalis in our province in all spheres of life, but we cannot continue to show this generous attitude to them any longer as we are driven out by the non-Bengalis not only out of their own

provinces but also from the different departments of life and activities in our own province. We must frankly admit that we cannot afford any more to be charitable to others. It is not out of grudge that we are opposing the appointment of non-Bengalis in Bengal—the various departments under its administration. We are opposing it because it has become a question of life and death with us. Unemployment has become a serious problem with us. Thousands of our young men with the highest and best education that our schools and colleges can afford to give are knocking about and roaming in the street for employment, but with our best effort we have hitherto failed to find out any suitable avenue of life for them. We do not disclose any secret when we say that this sheer unemployment and despiration among our young educated people is surely but slowly goading them into anarchism and civil disturbance. If we are to save, as certainly we are to save, our young educated people from starvation and anarchism, we must stop the recruitment of non-Bengalis for services in Bengal and forthwith inaugurate a definite policy of recruiting our young educated people for employment in the various branches of the public service to which reference has been made in my motion.

Mr. B. R. SEN: In connection with a similar motion last year brought forward by Mr. Fazlullah, the Hon'ble Member had observed that the policy of recruiting Bengalis for the posts of constables was one which had the full sympathy of Government, but that the number of Bengali applicants for such posts who complied with the standard laid down was totally insufficient for the needs of the Presidency as also of the Bengal Police. It will perhaps suffice now if I repeat the assurance of the Hon'ble Member-in-charge that the department is only too glad to enlist constables from men of the province when suitable men are available.

I may point out here that the complaint of paucity of Bengalis in ranks other than those of constables is not borne out by facts. I can give figures corrected up to the 1st March, 1932, to make the position clear. In the Calcutta Police on that date there were—

22 Bengalis in a standard strength of 65 inspectors;

97 Bengalis in a standard strength of 117 sub-inspectors;

137 Bengalis in a standard strength of 152 assistant sub-inspectors.

As to sergeants, the case is necessarily different. They are taken in for certain executive duties and the classes from which they are recruited are best fitted to perform these duties.

I hope in view of the assurance given by the Hon'ble Member-in-charge last year and repeated by me now, the member will be pleased to withdraw his motion.

Mr. PRESIDENT: Members were notified that His Excellency the Governor would address the Council to-morrow at 2-40 p.m. I am to request members to be punctually at their seats to-morrow at 2-40.

Adjournment.

The Council was then adjourned till 2-40 p.m., on Thursday, the 24th March, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 24th March, 1932, at 2-40 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 116 nominated and elected members.

(At 2-40 p.m. the Registrar to the Council announced to the Hon'ble the President that His Excellency the Governor was without. The Hon'ble the President then left his seat on the *dais* and met His Excellency under the small dome in the vestibule. His Excellency then entered the Council Chamber with the Hon'ble the President, and, at the request of the Hon'ble the President, took his seat in the Presidential Chair, the Hon'ble the President being seated on His Excellency's right.)

His Excellency the Governor's Address.

HIS EXCELLENCY the GOVERNOR of BENGAL (the Right Honourable Sir Francis Stanley Jackson): Mr. President and gentlemen, I have asked the Council to meet at this hour to-day to enable me to take my leave of you and to bid you farewell. It is not my intention to occupy more than a few minutes of your time and the occasion demands that I should avoid any matter of a controversial nature. At the same time I felt that I could not contemplate with any satisfaction to myself the idea of leaving this province without offering to the members of this Council an expression of my gratitude for the consideration and courtesy which I have invariably received from you, Sir, and from the hon'ble members of this House.

On an occasion like this I may be pardoned if, for a moment, I look back over the period during which I have been associated with the Government of this province and with the present Council and its immediate predecessor.

I consider myself fortunate that it was given to me to see the Council established in this beautiful Council House. You have now

had a year in which to test its qualities; I feel sure you must all be satisfied with them and I am confident,—and the year that has just passed serves to strengthen the conviction,—that in these noble and impressive surroundings you and your successors will find inspiration for the discharge of the responsible task to which you are called.

It is, perhaps, unnecessary for me to refer to the fact that for the whole period since five years ago I first came to Bengal, Government and members of this House have laboured under an ever-increasing financial difficulty. Projects admirable in themselves and even necessary in any well-conducted modern state have had to be withheld from the House,—or if placed before the House, and by the House on the Statute Book, have had to be held in abeyance till better times produce the money to finance them. In spite of that this House has to its credit, I venture to think, a good record of work well done for the province.

We have always had in front of us the urgent needs of the millions who dwell and toil throughout the districts in this province. I was pleased when that important but complicated measure, the Bengal Tenancy Act, was passed. It was, I believe, originally sponsored by the late Maharaja Bahadur of Nadia and eventually ably piloted through this House by the Hon'ble Sir Provash Chunder Mitter. But the two great needs which appeared to me to cry out loudest for attention were increased and better facilities for education and constant care for the improvement of public health. The Rural Primary Education Act, which this Council passed eighteen months ago, seems to me to be fraught with greater potentialities for the good of the province than any measure which has yet been passed into law in the Reformed Councils of Bengal. It is a matter of great regret that the all-pervading blight of shortage of means delays its complete institution. But you will proceed with it as soon as possible: your people want this help. In matters of public health and local self-government the Council has by its vote helped and sustained the Minister in a policy which includes the development of the system of health circles which is working well in every corner of the province. Public health in Bengal must be your primary care. There is no province where this is more necessary than in Bengal. If you once let the care of public health be overlooked, serious trouble must ensue. I am afraid that there is yet great scope for education in matters of sanitation in Bengal. From my experience of it I am led to hope that further extension and strengthening of the union board system will receive your support. I am satisfied that union boards supply the foundation and training ground of democracy and provide the experience which must form the basis of every true democratic system of government. It is through them that the value of the vote and how to use it is learnt.

I must also gratefully acknowledge the way in which the House has risen to the full height of its responsibilities when demands have had to be made upon it for funds and for legislation for the maintenance of peace and good government in the province.

But, perhaps, I may express the view that more important than any particular legislative measure—however weighty or courageous—that the Council has adopted, has been the general attitude of the present Council towards its own responsibilities and the potentialities of the constitution. It is true at one period that some of your predecessors showed a disposition to dispense with the assistance of Ministers, but I must readily acknowledge that throughout the greater part of its term the present Council has worked to the full the constitution for which the Government of India Act provides and has maintained in office with only one change, which the Council did not itself impose, a team of Ministers who, both before and since the change to which I have referred, have done most creditable service both to Government and to the people of this province.

I feel also that members of this Council will agree that much credit is due to the permanent officials for the part they have played in the work of the Council. Attendance in Council and the task of carrying with them the opinion and assent of the House were duties which it is safe to assume none of the present official members of the House foresaw when they elected to enter the service of the Crown and of India. To them it is a compulsory addition to an already over-crowded official life, but I believe they have served the Council well in helping to build up its traditions and in preparing the way for those who in the future will occupy the Government benches.

And lastly, as regards the past, you will allow me, as one with some experience of the spirit and intricacies of Parliamentary procedure, to offer my congratulations on the manner in which, in general, the business of the House had been carried on. If you have been fortunate in the occupant of the Presidential chair, as you have been, you are also entitled to the credit of having loyally combined to make his task one for the display rather of the velvet glove than of the iron hand.

So much for the past: as regards the future, before I came to Bengal I realised that during my term of office would fall some at all events of the inquiries necessary with a view to the further implementing of the policy of His Majesty's Government as regards the future Government of India. As a matter of fact this problem has been exercising the minds of statesmen here and in England almost continuously ever since I came out. I need not recapitulate the various steps that have already been taken, but I think I am right in believing that in spite of the distance yet to be travelled and the hurdles still to be crossed, it must fall to my immediate successor to order the election which will provide this province with its first autonomous Government.

I cannot help feeling that it will be all to the good when the present transition stage, with its expectancy and with all its uncertainty and doubt, is over and we know definitely where we stand. Transition is difficult in itself and the atmosphere of transition is also a difficult atmosphere in which to carry on the work of administration. I think we shall all agree that the sooner we can pass through this period the better,—so that on the lines marked out and within the constitution laid down you may all settle down and concentrate on constructive and progressive work for the advancement and increased happiness of the province. I shall not be here to offer you my help in that task, but I look forward to the days when I may hear and read of your achievements under the new constitution.

I like to picture this House divided into parties, with policies based upon principles, each policy conceived and urged in the general interests, though varying in the methods of achievement proposed. These parties and policies will, I hope, produce leaders who will not only sway public opinion in Bengal but who will play an important part in the higher councils of State.

Perhaps before I finish I may strike a personal note. I have tried my best to keep the scales even. I am personally conscious of much good-will which has been extended to me and which, I believe, has come from understanding and mutual respect. Understanding and mutual respect can help in the solution of many difficult problems. Get them established in India not only between British and Indian but also between Indian and Indian and then you will find the road clear for rapid progress towards peace and prosperity. I bid you farewell, and may all success attend your efforts. (Applause.)

[His Excellency the Governor then left the Council Chamber, preceded by the Hon'ble the President.]

(On the return of the Hon'ble the President.)

Tribute to His Excellency the Governor.

Mr. PRESIDENT: Gentlemen of the Council, as your spokesman I would be failing in my duty if I did not avail myself of this opportunity to give expression to the feeling of genuine admiration and profound thankfulness which His Excellency the Governor's sympathetic and illuminating address evoked within us this afternoon. His Excellency's speech, as you all must have felt, had a remarkable ring of sincerity in it and for the matter of that every word which fell from his lips was based broad and deep on his well-known sympathy for the people of Bengal. During the five years that he has been the Governor of Bengal we have felt at every stage, that Bengal had at the steering wheel of

her ship a seasoned captain who could be depended upon to set its helm on the right course. Not long ago, our present Secretary of State had spoken of His Excellency the Governor as a highly popular, patriotic and courageous administrator; I should like to go further and predict that when the constitutional history of this country comes to be written, Sir Stanley will be given a very high place along with the best British statesmen and administrators who came out to this country to make India a greater India and to help her people to march abreast with the progressive nations of the world. In your name and on your behalf, gentlemen, I propose to send a farewell message to His Excellency the Governor, telling him that each and every one of you wishes His Excellency and the Hon'ble Lady Jackson bright future, health, happiness and prosperity. I hope that in order to authorise me to send such a message and with a view to endorse what I have said, you will now rise in your places.

(The members rose in their places.)

Mr. PRESIDENT: Thank you, gentlemen, the necessary action will be taken.

Starred Questions

(to which oral answers were given).

Revenue, rents, etc., of pargana Alapsingh, Mymensingh.

*162. **Maulvi ABDUL HAKIM:** Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing—

(i) the total amount of yearly revenue paid by the landlords (having permanent settlement) for the pargana Alapsingh in the district of Mymensingh;

(ii) the total amount of yearly road cess paid by them for the said pargana;

(iii) the total amount of yearly rents realised by them from their tenants in the said pargana; and

(iv) the total amount of yearly road cesses realised by them from their tenants in the said pargana? (If accurate amounts are not possible approximate amounts are wanted.)

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir B. B. Chose): (*i*) The total annual demand is Rs. 71,762-15-6.

(*ii*) The total annual cess demand is Rs. 85,633-7-9.

(*iii*) The rent from *raiyats* is Rs. 10,93,000 approximately; figures for rent from tenure-holders are not available.

(*iv*) The cess realised from *raiyats* is about Rs. 39,000; figures for cess realised from tenure-holders are not available.

Maulvi ABDUL HAKIM: Will the Hon'ble Member be pleased to state whether it is a fact that the total amount of rent realised from the landlords is more than fifteen times the revenue payable by the landlords to Government?

The Hon'ble Sir B. B. CHOSE: The calculation may be made easily. The only difficulty is that we do not know the figures of rent paid by the tenure-holders.

Maulvi ABDUL HAKIM: Is not the rent highly excessive in the opinion of the Hon'ble Member?

The Hon'ble Sir B. B. CHOSE: That is a matter of opinion.

Maulvi ABDUL HAKIM: From what source has this figure of total rent been arrived at?

The Hon'ble Sir B. B. CHOSE: From the reports of the Collector.

Catalogues of Books in Bengal Library.

***163. MUNINDRA DEB RAI MAHASAI:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*i*) the number of copies of "Catalogue of books in the Bengal Library" supplements of the *Calcutta Gazette*, published during the last five years with date of publication;

(*ii*) the number of copies disposed of in each issue; and

(*iii*) the number of copies presented to the public libraries in the province?

(*b*) Are the Government considering the desirability of distributing the surplus copies to registered and recognised public libraries asking for the same?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) A statement giving the details required from 1929 is laid on the table. Particulars for the preceding years are not available as the relevant records are destroyed after three years.

(*b*) Government would be prepared to consider such applications for the surplus copies.

Statement referred to in the answer to clause (a) of starred question No. 163.

Number of copies printed.	Date on which printed.	For the quarter ending—	Number of copies distributed in general distribution.	Number of copies distributed in public libraries in the province.
1	2	3	4	5
490	10-1-1929 ..	30th June, 1928 ..	425	Nil.
490	30-5-1929 ..	30th September, 1928 ..	445	Nil.
490	22-8-1929 ..	31st December, 1928 ..	447	Nil.
490	5-12-1929 ..	31st March, 1929 ..	435	Nil.
490	13-3-1930 ..	30th June, 1929 ..	426	Nil.
490	19-6-1930 ..	30th September, 1929 ..	446	1
490	24-7-1930 ..	31st December, 1929 ..	439	1
490	28-8-1930 ..	31st March, 1930 ..	444	1
490	20-11-1930 ..	30th June, 1930 ..	441	1
490	22-1-1931 ..	30th September, 1930 ..	365	1
490	23-4-1931 ..	31st December, 1930 ..	430	1
490	24-9-1931 ..	31st March, 1931 ..	396	1
490	14-1-1932 ..	30th June, 1931 ..	359	1

Moslem head masters in Government high English schools.

***164. Maulvi ABUL KASEM:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*i*) the present number of head masters in Government high schools in Bengal;

(*ii*) how many of them are Muhammadans;

(*iii*) the percentage of the Muhammadan head masters in these schools, leaving out the denominational institutions;

(*iv*) how many new appointments of head masters were made in the year 1931;

(v) how many of them have been given to the Muhammadans; and

(vi) how many vacancies are likely to occur, in the rank of head master, during the year 1932?

(b) Is the Hon'ble Minister aware of a feeling amongst the Muhammadans about the paucity of Muhammadan head masters?

(c) What steps, if any, do the Government propose to take for appointing proportionate number of Muhammadans as head masters in Government high schools in Bengal?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (a) (i), (ii), (iii), (iv), (v) and (vi) A statement is laid on the table.

(b) Yes.

(c) The claims of qualified Moslems are duly considered with those of other eligible candidates when vacancies are filled. It may be pointed out that permanent vacancies of headmasterships are filled after a reference to the Bengal Selection Board.

Statement referred to in the answer to clause (a) of starred question No. 164.

(i) 41.

(ii) 11 (8 substantive and 3 officiating).

(iii) 22·2 *per cent.*

(iv) No new permanent appointments were made during 1931. Two officiating appointments were made during the year.

(v) None.

(vi) There will probably be three vacancies occurring in 1932. These are in addition to three which occurred in 1931 but which have already been filled this year.

Cholera in Tangail.

***165. Maulvi NUR RAHMAN KHAN EUSUFJI:** (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing, thana by thana, the total number of deaths caused by the last outbreak of cholera epidemic in the Tangail subdivision?

(b) Are the Government aware of a general feeling that the outbreak was mainly due to the poverty and helpless condition of the people in the flood-affected areas?

(*c*) Is it a fact that the famine-stricken people suffered most by this outbreak?

(*d*) Will the Hon'ble Minister be pleased to state what steps, if any, have been taken by the Government to prevent a recurrence?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) A statement is laid on the table.

(*b*) and (*c*) The epidemic of cholera which frequently follows on abnormal floods appears to have been due in this instance to the usual causes of consumption of unwholesome food and water due to the scarcity of the former and the contamination of the latter by reason of the floods.

(*d*) Government will always take steps in an emergency such as this to assist and advise the district board in taking preventive and remedial action in the interests of public health.

Statement referred to in the answer to clause (a) of starred question No. 165 showing thana by thana the total number of deaths caused by the last outbreak of cholera epidemic in the Tangail subdivision.

Thanas.	Number of deaths.
1. Tangail	... 70
2. Basail	... 101
3. Nagarpur	... 135
4. Mirzapur	... 24
5. Kalihati	... 49
6. Ghatail	... 4
7. Gopalpur	... 107
8. Madhupur	... 21

Closing of criminal courts in Bakarganj for "Juma" prayer.

***166. Maulvi ABDUL GHANI CHOWDHURY:** Is the Hon'ble Member in charge of the Revenue Department aware that the criminal courts in the district of Bakarganj do not remain closed from 12 to 2 p.m. on Fridays to allow the Mussalmans to say their *Juma* prayer?

The Hon'ble Sir B. B. GHOSE: The criminal courts in the district of Bakarganj are not closed from 12 midday to 2 p.m. on Fridays, but every facility is given to Muhammadan litigants, witnesses, pleaders, clerks, etc., to say their *Juma* prayers.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether there is a circular on the subject?

The Hon'ble Sir B. B. GHOSE: Yes.

Maulvi TAMIZUDDIN KHAN: If there was a circular, has it been withdrawn?

The Hon'ble Sir B. B. GHOSE: No.

Mr. SYAMAPROSAD MOOKERJEE: What would happen if there was a Muhammadan magistrate?

The Hon'ble Sir B. B. GHOSE: I do not think any answer is necessary, as he would certainly close his office.

Mr. PRESIDENT: You mean that the power is inherent in him?

The Hon'ble Sir B. B. GHOSE: Yes.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Member be pleased to state why the circular is not obeyed in the district of Bakarganj if it has not been withdrawn?

The Hon'ble Sir B. B. GHOSE: Probably on account of the ignorance of the new District Magistrate.

Maulvi TAMIZUDDIN KHAN: Does not the Government think it desirable that the attention of the magistrate should be drawn to the circular?

The Hon'ble Sir B. B. GHOSE: Yes, now that attention has been drawn to the fact after seven years.

Special motor-car allowance to the Land Acquisition Officer, 24-Parganas.

***167. Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether it is a fact that Rai Bahadur Jamini Mohan Ghosh, the Land Acquisition Officer of the 24-Parganas, was given a special motor-car allowance of Rs. 150 per month, for his work in connection with the Calcutta Chord railway?

(b) Is it a fact that construction work in connection with the Calcutta Chord railway has been finished?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Member be pleased to state whether the officer is still drawing his motor-car allowance?

The Hon'ble Sir B. B. GHOSE: (a) Yes.

(b) Yes.

(c) The Rai Bahadur now draws a motor-car allowance of Rs. 80 in view of the fact that he is in charge of 104 projects extending over three districts. This allowance is in lieu of travelling allowance for road journeys, and the arrangement has proved economical to Government.

Land Acquisition Deputy Collector, 24-Parganas.

*168. **Babu JITENDRALAL BANNERJEE:** (a) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether it is a fact that in six land acquisition cases (being cases No. D. 31/15, D. 31/15A, D. 31/17, D. 31/51, D. 31/53 and D. 31/53A of 1925-26) the former Land Acquisition Collector of the 24-Parganas made an award of Rs. 13,000 in favour of the tenant, one Sarbatosh Sen?

(b) Is it a fact that the present Land Acquisition Collector—

(i) compromised the cases with the tenant by raising the award to a sum of approximately Rs. 50,000; and

(ii) permitted the tenant to carry away the building materials of the structures that stood on the land?

The Hon'ble Sir B. B. GHOSE: (a) No.

(b) (i) The member is referred to the answer given on the 16th February last to Mr. P. Banerji's question No. 53 (starred).

(ii) No.

3-15 p.m.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state with reference to (a) what was the actual award made by the Land Acquisition Collector?

The Hon'ble Sir B. B. GHOSE: I ask for notice.

Babu JITENDRALAL BANNERJEE: To whom was the award given?

The Hon'ble Sir B. B. GHOSE: I ask for notice.

Land acquisition cases in connection with certain railway projects in the 24-Parganas.

*169. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state what was the total number of land acquisition cases in connection with the Dhamua-Lakshi-Kantapur railway, the Baruipore-Dakshin Baraset railway and the Calcutta Chord railway projects?

(*b*) How many of these cases have gone on reference to the Land Acquisition Judge (*i*) on grounds of valuation, (*ii*) of apportionment, or (*iii*) on any other ground?

The Hon'ble Sir B. B. GHOSE: (*a*) 1,926 cases.

(*b*) (*i*) (Valuation) 376.

(*ii*) (Apportionment) 601.

(*iii*) (Other) Nil.

Arrest of certain gentlemen at Chaumohani, Noakhali.

*170. **Babu HEM CHANDRA ROY CHOUDHURI:** (*a*) Is the Hon'ble Member in charge of the Political Department aware—

(*i*) that the thana officers of the district were instructed by the local authorities in Noakhali not to arrest anybody joining or organising meetings or processions in furtherance of the civil disobedience movement but to disperse with *lathi* charges even though the members of those meetings and processions were strictly non-violent and orderly;

(*ii*) that a large number of meetings and processions were held throughout the district of Noakhali on the 12th February last and those were dispersed with *lathi* charges with the result that several were badly injured; and

(*iii*) that on the said date, some eight gentlemen were arrested at Chaumohani (police-station Begumganj, Noakhali) at about 8-30 in the morning and were sent to the headquarters of the Noakhali district, and remanded to jail custody on the 13th February at about 3 p.m. but they were not supplied with either food or bedding till noon of the latter date?

(*b*) Are the Government aware of any such complaint made to the trying Magistrate?

(*c*) If the answer to (*b*) is in the affirmative, what steps, if any, the Government have taken in the matter?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*i*) Officers in charge of police-stations were advised to use the powers conferred upon them by section 128, Criminal Procedure Code. No instructions were issued to disperse orderly processions with *lathi* charges.

(*ii*) Civil force was used under section 128, Criminal Procedure Code, to disperse unlawful assemblies on 12th February last, but no case of any person being injured is on record.

(*iii*) It is reported that these persons were arrested for defying orders under section 144, Criminal Procedure Code. They were given two meals while in police custody on the 12th February and were supplied with blankets and bedding at night.

(*b*) A petition was received by the Subdivisional Officer and sent to the Superintendent of Police for inquiry and necessary action.

(*c*) In view of the answer to (*a*) (*iii*) the question does not arise.

Babu JITENDRALAL BANNERJEE: With reference to (*a*) (*ii*), will the Hon'ble Member be pleased to state, what the expression "civil force" is meant for? What was the "civil force" employed?

The Hon'ble Mr. W. D. R. PRENTICE: Civil as opposed to military.

Babu JITENDRALAL BANNERJEE: What was the nature of the civil force that was used?

The Hon'ble Mr. W. D. R. PRENTICE: I have not got the details.

Babu JITENDRALAL BANNERJEE: Does it mean non-violent violence?

The Hon'ble Mr. W. D. R. PRENTICE: It means legal violence.

Babu HEM CHANDRA ROY CHOUDHURI: With reference to question (*a*) (*i*), will the Hon'ble Member be pleased to state whether the instructions issued to the officers in charge of police-stations contained the manner in which powers should be exercised under section 128, Criminal Procedure Code?

The Hon'ble Mr. W. D. R. PRENTICE: The Superintendent of Police reported as follows: "As a large number of persons used to be indiscriminately arrested by the *thanadars*, I asked them to stop the arrests of insignificant people and of misguided youths and to follow section 128, Criminal Procedure Code, in dealing with unlawful assemblies."

Babu HEM CHANDRA ROY CHOUDHURI: Are you reading this from a copy of the instruction issued?

The Hon'ble Mr. W. D. R. PRENTICE: I am reading an extract from the report sent by the District Magistrate.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to lay a copy of these instructions on the table?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Babu HEM CHANDRA ROY CHOUDHURI: With reference to (*a*) (*iii*), will the Hon'ble Member be pleased to state whether an inquiry will be made with regard to the complaints made by the accused to the trying magistrate?

The Hon'ble Mr. W. D. R. PRENTICE: The complaint has been forwarded to the Police Superintendent for inquiry and report.

Babu HEM CHANDRA ROY CHOUDHURI: Has any inquiry been made?

The Hon'ble Mr. W. D. R. PRENTICE: It has been made.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to state whether that inquiry was made in the presence of the accused?

The Hon'ble Mr. W. D. R. PRENTICE: I have no information regarding the progress of the inquiry.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state whether the instructions issued to the officers in charge of the police-stations strictly made it clear that civil force is not to be used upon persons except strictly in accordance with section 128?

The Hon'ble Mr. W. D. R. PRENTICE: I have not a copy of the order issued.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to state with reference to (*a*) (*iii*), what is the basis of this information?

The Hon'ble Mr. W. D. R. PRENTICE: The information that I have given you is that supplied by the District Magistrate.

Unstarred Questions

(answers to which were laid on the table).

Prisoners at Dum Dum Jail.

88. **Mr. E. C. ORMOND:** (*a*) Is the Hon'ble Member in charge of the Political (Jails) Department aware that complaints have been made about the conduct of the détenus at Dum Dum?

(*b*) Is the Hon'ble Member aware that at least 39 residents of Dum Dum have signed a letter complaining of such conduct in particular to the following effect:—

(*i*) that the détenus appear to be under little or no control;

(*ii*) that the détenus are in the habit of pouring vile abuse on all Europeans passing their detention area;

(*iii*) that the détenus from early morning till late in the evening keep up an incessant shouting so loudly that the whole district is utterly disturbed and so as to be a public nuisance to the neighbourhood; and

(*iv*) that the détenus are allowed to pursue their conduct unchecked and without any effective action being taken by the authorities to prevent it?

(*c*) If the letter referred to in (*b*) has not been brought to the notice of the Hon'ble Member, are the Government considering the desirability of making inquiries with a view to ascertaining what action, if any, has been taken in regard to a certain letter dated the 13th February, 1932, addressed to the Chief Secretary to the Government of Bengal from the Honorary Secretary, the Special Purposes Sub-Committee, Calcutta Branch of the European Association?

(*d*) Has the Hon'ble Member also been pleased to inquire into the condition of the administration of the detention area at Dum Dum and into the conduct of the détenus there in view of the complaints mentioned?

(*e*) Is it the intention of Government to take any action in this matter?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*), (*b*) and (*c*) There are no détenus at Dum Dum. There are prisoners only in the jail there.

Complaint has been made as stated.

(*d*) Yes.

(*e*) Steps have been taken for remedying the state of things referred to.

Mr. E. C. ORMOND: Will the Hon'ble Member be pleased to state whether Government consider that the steps which have been taken or will be taken, will be successful in removing the state of things complained of in the jail at Dum Dum?

Mr. PRESIDENT: I do not allow that.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether the question asked, refers to the Dum Dum Special Jail, or the Dum Dum Additional Special Jail?

The Hon'ble Sir B. B. GHOSE: With regard to both.

Maulvi SYED JALALUDDIN HASHEMY: Is it possible for the prisoners of one single jail to disturb the whole district by shouting?

Mr. PRESIDENT: I do not allow the question.

Mr. SHANTI SHEKHARESWAR RAY: With reference to answer (*d*), will the Hon'ble Member be pleased to state whether he personally went there to inquire into the matter?

The Hon'ble Sir B. B. GHOSE: No.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether he found the complaints to be correct?

The Hon'ble Sir B. B. GHOSE: Yes, they were found to be correct.

Alleged Kangali Dal.

39. Dr. AMULYA RATAN GHOSE: (*a*) Is the Hon'ble Member in charge of the Police Department aware—

(*i*) of the existence of an organised gang of thieves, burglars, pickpockets, known commonly as the "Kangali Dal";

(*ii*) that the members of this "Dal" are extended over a very large section of the E. I. R. commencing from the Howrah station to the Ondal Junction and upwards;

(*iii*) that the members of this "Dal" have no permanent homes and they pass their nights at the stations, pucca footpaths on the Cart Road, Grierson Road and such other places of Howrah and Calcutta; and

(*iv*) that they commit train thefts, burglaries and various kinds of crimes at the station platforms and in the neighbouring towns of the Howrah station and other important stations?

(*b*) Is the Hon'ble Member also aware—

(*i*) that the leader of this "Dal" takes stock of all articles stolen and misappropriated and sells them, and that proceeds of the sale are partly paid to the members; and

(*ii*) that one Tilakdhari Sing living at 34, Grand Trunk Road (North), Howrah, was known to have been their leader?

(*c*) Did the Police take any action before against the said gang?

(*d*) If the answer to (*c*) is in the negative, do the Government contemplate inquiring into the matter?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*i*) and (*iii*) There is no organised gang known to the police as "Kangali Dal"; but persons resort to Howrah station and the Goods sheds for casual labour. Some of these are homeless and resort to crime when unable to get employment, and are commonly known as *Kangalis*.

(*ii*) From the information received it does not appear that the operations of such persons extend as far as Ondal.

(*iv*) There are frequent arrests of persons in and near Howrah station for such offences as theft, pickpocketing and cheating.

(*b*) and (*c*) As stated above, an organised gang is not known to exist.

(*d*) No.

Hooghly district board.

90. Babu HARIBANSA ROY: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) the amount of the augmentation grants paid to the Hooghly district board for the last three consecutive years from 1928-29 to 1930-31;

(*ii*) the grants actually paid to the union boards directly during the same period under section 45 of the Act; and

(*iii*) the condition laid down by the Government for the distribution of such grants?

(b) Is it a fact that no grant was paid by the Hooghly district board to certain union boards like Janai, Begumpur and Chanditala in the Serampore subdivision for last three consecutive years from 1337 B.S. under the proviso of section 45 of the Act?

(c) Is the Hon'ble Minister aware that the union boards referred to in (b) assessed annually during the said period not less than one thousand rupees under section 37B?

(d) Is it a fact that only Rs. 3,600 was paid by the Hooghly district board to the union boards through three local boards during the year 1930-31?

(e) Is it also a fact that Rs. 27,868 was paid to the district board by Government as augmentation grant during the year?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (a) (i) 1928-29—Rs. 20,299; 1929-30—Rs. 21,092; 1930-31—Rs. 27,868.

(ii) No such grants are paid directly by Government. Government have no particulars of the grants paid by the Hooghly district board to union boards.

(iii) No specific conditions have been imposed. A copy of Circular No. 3267-70, dated 20th July, 1921, is laid on the table.

(b), (c) and (d) Government have no information.

(e) Yes.

Circular referred to in the answer to clause (a) (iii) of unstarred question No. 90.

No. 3267-70 L.S.-G., dated Calcutta, the 20th July, 1921.

From—L. S. S. O'Malley, Esq., C.I.E., I.C.S., Secretary to the Government of Bengal, Local Self-Government Department,

To—All Commissioners of Divisions (except Rajshahi).

Minister-in-charge: The Hon'ble Sir Surendra Nath Banerjea, Kt.

The attention of the Ministry of Local Self-Government has been drawn to the fact that the activities of union boards are circumscribed by the limitations of finance and that the funds at their disposal are insufficient to enable them to do all the useful and beneficial work which they might otherwise do. The Minister is anxious that their resources should, if possible, be enlarged so that they may make the benefits of village self-government apparent to all, and after careful consideration has come to the conclusion that the grant which is

annually made to district boards from provincial revenues for augmenting their resources and is consequently known as the "augmentation grant" should be used for this purpose and that it should be recognised that the main purpose of the grant should be to supplement the resources of the union boards and develop village sanitation and measures of public health. The Government of Bengal, Ministry of Local Self-Government, are therefore pleased to direct that a substantial portion of the grant received by each district board should be distributed among the union boards under it. The share of each union board should be determined by the district board in consultation with the Health Officer and the Circle Officers and the union boards should spend their respective shares for the purpose of improving village sanitation and public health. Government at the same time reserve the option of modifying the orders of district boards in this respect.

2. I am to request that the district boards in your division may be informed of this decision and instructed to submit a statement, indicating the purposes upon which the money is to be spent.

Demands for grants.

The discussion under the head "26—Police" was then resumed.

The following motion of Maulvi Muhammad Fazlullah was put and lost:—

"That the demand of Rs. 32,06,990 under the head '26A—Presidency Police—Pay of establishments' be reduced by Re. 1 (to criticise the policy of Government in recruiting non-Bengalees to the ranks of inspectors, sub-inspectors, sergeants, assistant sub-inspectors, head constables, constables and Indian officers of the Armed Police, sepoys and temporary forces and other establishments in the Presidency Police Service)."

Babu SATYA KINKAR SAHANA: I beg to move that the demand of Rs. 42,78,000 under the head "26A—Presidency Police" be refused.

At the outset, Sir, I would like to state clearly my object in doing so. It is neither a censure nor an economic motion.

Sir, I entered the Council as a co-operator with the avowed principle of co-operating with the Government, where possible, and opposing the Government where necessary.

Though I do not yet know whether the number of the possibility occasions or of the necessity occasions predominated during my short existence here, I am still preeminently a co-operator and as such a censure motion is against my grain.

That the whole demand for the Presidency Police is being moved to be refused shows that it is not an economic motion. If I be permitted to use the adjective, Sir, it is an equity motion, a justice motion. That I move this refusal though I am fully aware of the utility and necessity of the Presidency Police is due to the fact that a sense of equity and justice prompts me to do so, it is a venture to invite the attention of the Government to the anomaly in the expenditure of the Presidency Police.

Sir, the main function of the police, as I understand it, is the preservation of law and order,—the protection of the lives and properties of the people within its jurisdiction. The Presidency Police is the protector of the lives and wealth of the people of Calcutta.

At the first sight it seems to be reasonable that as Calcutta is the capital of the province, the cost of the Presidency Police should be met from the provincial revenue. But looking more closely, we find Calcutta to be a cosmopolitan town—a world town, where people from all parts of the globe come to live and work. The wealth of Calcutta is not in the hands of Bengalees alone; the non-Bengalees are in possession of fifteen annas of the wealth of the city.

It stands to reason, Sir, that the people of Calcutta, be they Bengalees or non-Bengalees, should bear the cost of the police required for the protection of their wealth. But, Sir, instead of that, the tremendous cost of about Rs. 43,00,000 is met from the revenue collected from the unwilling and unable hands of the heavily-taxed, ill-fed, ill-clad, ill-housed people of rural Bengal who are struggling with malaria, cholera, small-pox, kala-azar and a host of other pestilences that are stalking unchecked and unquestioned over the province, and who are piteously waiting for the merciful hands of death to relieve them of their miseries. Sir, one's sense of justice and equity gets rudely shocked by it and common sense cries help.

Sir, the sense of equity and justice is latent in human minds and the mind of Bengal is not devoid of it; and common sense, Sir, though unfortunately an uncommon commodity in our sphere of sorrow, has not left Bengal for good. A rude shock to the sense of justice and equity and common sense cannot but produce heartache, disturbing the tranquillity of the atmosphere and causing uneasiness to every one.

Sir, if the Presidency Police be considered as a part of the Bengal Police, why should more than one-fifth of the whole grant be devoted to the Presidency Police intended for the protection of, at the most, one million and a half souls and the remaining 50 millions of people, inadequately policed with the balance, be left in the lurch to take care of themselves against dacoits and rowdies? This, Sir, to say the least, is neither justice nor equity.

Sir, the truth of the assertion that the nocturnal howls of the animals signify toothache may be doubted; but there can be no doubt about

the fact that the howls of discontent rolling over the province signify heartache; heartache due to the iniquitous Meston Award; heartache due to the iniquitous distribution of the famished revenue of the province; heartache due to the absorption of a great portion of the amounts allotted for expenditure under each head in superfluous supervision and expert experiment, and heartache due to many other similar iniquities.

Sir, we all desire a peaceful administration with admirable adaptability to the environment, to the poverty, ignorance, insanitation and other evils of the province, and firmly based on equity and injustice if not on love. But, Sir, that desire has always been as the desire of the moth for the star,—the desire has been receding like mirage far and far away aggravating the thirst and heartache of the province.

Sir, I venture to think that it is this heartache which has been manifesting itself in different ways in the province,—in the shape of request, in the shape of advice, in the shape of friendly criticism, in the shape of unfriendly criticism, and lastly, in the shape of terrorism amongst a few impatient and inflammable youths.

Sir, such constant heartaches are good neither for the rulers nor for the ruled, and every effort should be made to cure the country of the malady. Sir, though I am not one of those who can look into the seeds of time and say what seed will grow and what will not, yet I venture to suggest that if you remove this anomaly—this iniquity of maintaining the Presidency Police from the provincial revenue—it will surely be considered by the people as a step forward in the right direction and it will act as a soothing balm on the mind of sentimental Bengal and will appreciably remove the congestion. Sir, to a helpless people the undoing of a wrong is sometimes more welcome than the doing of a right thing.

Sir, I hope the inhabitants of Calcutta, rolling in wealth and luxury, reasonably cannot and will not grudge the cost of the police necessary for the protection of their lives and wealth, and it will not be difficult for the Government to realize it in the shape of a Presidency Police tax. Going beyond the taxable limit, though true of Bengal, is not true of Calcutta.

Sir, the money, about Rs. 43,00,000, so realized, may be profitably used for the improvement of sanitation or education of the province, or it may be used for strengthening the police in the *mufassal*.

Sir, though I cannot hold the police to be as white and pure as mountain snow, I do not consider them to be atrocious blackguards. I know how valuable they are in the *mufassal*. I know how the presence of the police inspires the people with courage and a sense of security. Further, I know how their inadequacy in strength makes it possible for half a dozen dacoits armed with smuggled weapons to loot a village of many hundreds of law-abiding people deprived unfortunately by the

Arms Act of all sorts of weapons. Sir, the people, I hope, instead of grudging, will welcome the strengthening of the Bengal Police with the money so realised.

With these few words, Sir, I recommend the motion to the consideration of the House.

3-30 p.m.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I beg to move that the demand of Rs. 42,78,000 under the head "26A—Presidency Police" be reduced by Rs. 10,00,000.

This cut of mine is against the growing expenditure under Police generally and upon Presidency Police in particular. It is perfectly true that from the point of view from which the Hon'ble Member look at the subject, it can be said that this demand is hardly adequate, and it is possible to conceive of a much larger demand for expenditure on Police. But that depends upon the point of view. If the idea is, as the Hon'ble Mr. Prentice said the other day, that so far as the Bengal Police is concerned, it was wholly inadequate and they had to draw upon Assam to supplement it,—if that is the idea, I shall not be surprised if the Presidency Police force is also considered inadequate. Sir, from that point of view, you should have one policeman to take charge of every other man. You can go so far as that. The point of view which he is referring to is this that law and order can only be maintained by force and by the police. Of course from that point of view you must require a policeman for each citizen. I submit, Sir, this is an entirely wrong point of view. Law and order is not maintained essentially by force but by the goodwill of the community. I may remind this House of the familiar conversation between Lady McDuff and her son in which Lady McDuff tries to tell her son that liars and swearers are all hanged by honest men and the little child says that "liars and swearers are fools for there are liars and swearers enow to hang all honest men." If that is the real position, no amount of police force will be able to prevent breaches of law and order. The fact is that law and order maintain themselves in a society where there is goodwill in the community and where there is willingness to maintain law and order. The Government has been trying to maintain law and order in the other way. Instead of trying to cultivate a spirit in favour of the maintenance of law and order, they have been going about trying to maintain law and order by sheer force. At that rate, police expenditure must go on increasing and no amount of expenditure can be adequate for the purpose when once we proceed on the assumption that every man is an enemy of law and order.

Sir, the reduction which I have suggested, namely, Rs. 10,00,000, is a round figure. It is possible to reduce the police expenditure by Rs. 10,00,000 if only we want it. I cannot go into the details. It is

not possible for me to point out the details in which savings can be effected, but if the Government wishes, it can reduce the expenditure by Rs. 10,00,000, provided they look at the question from a different angle of vision—the angle of vision which I have been suggesting. But so long as law and order remain a red-eyed monster terrorising over the people, no amount of police force will ever prove adequate. On the contrary, if you look to law and order as the friend of the people, if the people are interested in maintaining law and order, the more progress you make on that line, the less expenditure on the police is required. On the contrary, the other point of view has led us to more and more expenditure under the head "Police" and it would have been much more but perhaps for the ten *per cent.* cut. I want to insist upon this point of view for the consideration of Government and urge them to look at the problem from this view point and to rely upon the law-abiding nature of the people and the goodwill of the people than upon the mere force of the police. The mere force of the police will never be sufficient to maintain law and order, no matter how large you make the force. On the other hand, if there is goodwill, a much smaller sum will be required.

Mr. PRESIDENT: I think you had better make some definite suggestions of an economic character.

Dr. NARESH CHANDRA SEN GUPTA: I have already suggested that the expenditure may be reduced by Rs. 10,00,000 and I would say if there is a change of policy, this reduction can be effected. I ask for a reduction of Rs. 10,00,000 and it is not necessary for me to go into the details. I must say that the reduction should be made and attempts should be made to find out the ways and means for the maintenance of law and order after making this reduction.

Mr. P. BANERJI: I beg to move that the sum of Rs. 42,78,000 under the head "26A—Presidency Police" be reduced by Rs. 5,00,000.

Sir, my demand is a modest one and it is only a cut of Rs. 5,00,000. I think in this particular item a reduction of Rs. 10,00,000 is quite possible. I hope the Hon'ble Member will accept this reduction of Rs. 5,00,000 in view of the fact that in these days of economic crisis, the expenditure should be minimised in all directions. Sir, even in the present economic position no reduction has been made particularly under the head "Police." The Hon'ble Member gave the other day certain statements regarding percentages, etc. As regards the "Police," we find that it is on the whole on the increase; we find that the police expenditure has come up to nearly 25 *per cent.*, and if the other departments—the Jails, the Administration of Justice and the General Administration—all these are taken together, it is found that about 50

per cent. of the entire amount is spent on these items, while the most important items of Education, Medical and Public Health on which it is the primary duty of a civilised Government to spend as much money as is possible, we find only 4 *per cent.* of the revenue is being spent for public health, 5 *per cent.* for medical subjects and so on. Sir, we have just listened to the speech of His Excellency that——

Mr. PRESIDENT: You need not refer to that.

Maulvi ABUL KASEM: Sir, in an economic cut of a substantial character, the hon'ble member cannot discuss the general policy, but he must show the way in which a reduction can be made.

Mr. PRESIDENT: I think he mentioned the Public Health and Medical Departments casually and that is allowed. He should not, however, labour on that point.

Mr. P. BANERJI: Anyway we find that four or five *per cent.* is spent on such important heads as Public Health, Medical, Sanitation, etc. If a major portion of the money that is now demanded is not spent on the police, that money may be profitably utilised in other directions which are of a more vital importance.

As to how the expenditure can be minimised, I suggest that the increased demand year after year for the maintenance of law and order shows that the administration of law and order in this province has failed. We find that while we have given more and more money to the police, dacoity, murder, theft and such other offences are on the increase.

3-45 p.m.

We also find that expenditure to stop the civil disobedience movement is on the increase and more and more sergeants have been enjoying higher pay. Our suggestion is that the young men of this country who are badly hit by unemployment should be given employment and in that case work can be managed with more efficiency than has been hitherto done. With these words I commend my motion to the acceptance of the House.

Mr. NARENDRA KUMAR BASU: I rise to give my support to the motion moved by Dr. Naresh Chandra Sen Gupta.

The Hon'ble Mr. W. D. R. PRENTICE: I would beg to point out that motions Nos. 697, 701, 703 and 704 deal with the same point and they may be moved at this stage.

Mr. NARENDRA KUMAR BASU: But I am speaking with the permission of the President.

Mr. PRESIDENT: In that case it would be better to move 697 at this stage. Do you want to speak now, Mr. Basu, or afterwards?

Mr. NARENDRA KUMAR BASU: If you give me an opportunity later on, I shall be content to speak afterwards.

Maulvi ABDUL HAMID SHAH moved that the demand of Rs. 42,78,000 under the head "26A—Presidency Police" be reduced by Rs. 1,000 (policy of spending money for the Presidency Police out of provincial revenues).

He spoke in Bengali, the English translation of which is as follows:—

"Mr. President, I wish to give a reply to the statements made by Mr. A. N. Moberly, the then Home Member, in reply to a similar cut motion brought forward by Mr. P. N. Guha during the budget session of the Council in 1930.

Mr. Moberly's first argument was that so long as the residents of the various municipal areas in Bengal do not come to bear the cost of the police serving in their respective municipal areas, there is no reason why the residents of Calcutta should bear the cost of the Calcutta Police. His second argument was that a certain portion of the total amount of tax payable by the residents of Calcutta goes to the Central Government, a certain portion goes to the Calcutta Corporation and the remaining portion goes to the Government of Bengal in the shape of land revenue. Consequently, until the Central Government came forward to meet a portion of the cost of the Calcutta Police, it must be defrayed out of the revenues of Bengal. His last argument was that it was never possible that the amenities of life enjoyed by the tax-payers in various places should be in proportion to the amount of revenue paid by them. Thus money spent for the district headquarters is not in exact proportion to the money spent for the *mufassal* population of the same districts. Taking into consideration the revenues paid by the people of Calcutta as well as the *mufassal* people and the distribution of population in the country, we find that the residents of Calcutta enjoy far greater amenities than the *mufassal* people, who contribute a larger share of the revenue. With regard to income-tax, even assuming that the amount of income-tax received from the residents of Calcutta is larger than that received from *mufassal* residents, it must be admitted that the major portion of the income of the Calcutta people is derived from the *mufassal* people. In view of the contribution of the *mufassal* people to the huge income of the residents of Calcutta, it will not be deemed unreasonable if the former demand that a portion of the income of the latter should be spent for ameliorating their condition. But we find that quite contrary is the case,—the people of the *mufassal* are called upon to bear on their over-burdened shoulders a portion of the cost of the Calcutta Police, specially engaged for the protection of the people of Calcutta.

Again, nearly 95 *per cent.* of the population of the district headquarters are drawn from the inhabitants of the district. Among these a large section is engaged in trading in the agricultural produce of the district. But in Calcutta we find that 70 *per cent.* of its mercantile population are outsiders and trade in commodities imported from foreign countries. Under these circumstances, if an extra amount of money is necessary for the police of the city of Calcutta, over and above land, stamp, registration and excise revenues of Calcutta, it must come from her mercantile community. The four and half crores of rural population of Bengal will breathe a sigh of relief and their condition will improve greatly if the total amount of Rs. 44,00,000 be expended for their educational, agricultural and sanitary requirements.

I hope my motion will find support from the representatives of the *mufassal* people as well as from the Government."

Maulvi ABUL KASEM: In view of the motion that has been moved just now, I do not think it is necessary for me to move my motion. I would only vote for it.

The following motion was, therefore, not moved:—

Maulvi ABUL KASEM: "That the demand of Rs. 42,78,000 under the head '26A—Presidency Police' be reduced by Rs. 100 (to draw attention to the injustice and unfairness of paying the entire cost of the Presidency Police out of the provincial revenues)."

The following motion was called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 42,78,000 under the head '26A—Presidency Police' be reduced by Re. 1 (to express disapproval of the present system of maintaining the Calcutta Police from the provincial revenues)."

Mr. NARENDRA KUMAR BASU: I beg to give my support to the motion of Dr. Naresh Chandra Sen Gupta by which he has asked that the demand of Rs. 42,78,000 be reduced by Rs. 10,00,000. In asking for this grant yesterday the Hon'ble Mr. Prentice said that he acknowledged that the police expenditure in this province was the highest of all the provinces in India and it bore the highest percentage to the expenditure from revenue. But I would like to give certain other figures to place the police grant in its proper perspective. In 1921-22, when the Bengal Retrenchment Committee sat, the police grant was Rs. 1,91,00,000 out of a total expenditure of Rs. 12,03,00,000, that is to say, less than 16 *per cent.*; in 1928-29, it was Rs. 1,95,00,000 out of a total expenditure from revenue of Rs. 10,90,00,000, that is, 17 *per cent.*; in 1929-30, it was Rs. 2,09,00,000 out of a total expenditure from revenue of Rs. 11,33,00,000, that is to say, 18 *per cent.*; in 1930-31, it was Rs. 2,20,00,000 out of a total expenditure from revenue of

Rs. 11,40,00,000, that is, 19 *per cent.*; in 1931-32, it was Rs. 2,22,00,000 out of a total expenditure from revenue of Rs. 11,13,00,000, that is to say, 20 *per cent.*, and in the present budget it is Rs. 2,20,70,000 out of a total revenue of Rs. 11,00,00,000, again 20 *per cent.* I may tell you that so far as this demand is concerned, the police expenditure comes up to 7 annas per head of the total population of Bengal, man, woman and child. If we contrast it with the figure for police expenditure in Great Britain,—I have got the audited figures for 1926—it was only £7,740,207, out of a total revenue expenditure of £839,123,063, that is to say, less than 1 *per cent.* of the total expenditure and the expenditure per head of the population in England, Scotland and Wales was 3s. 6d. on the police.

The Hon'ble Mr. W. D. R. PRENTICE: May I know where the member got these figures from?

Mr. NARENDRA KUMAR BASU: I got them from the appropriation report of the House of Commons. Members of the House are aware that whereas the average income calculated per head in England is about £95, the average income of an Indian according to the most optimistic figure is less than Rs. 100 a year, that is to say, whereas ·5 *per cent.* of the whole annual income of the Indian people is spent on the head "Police," ·16 *per cent.* is only spent in England and I would defy even Mr. Prentice to say that the London Police is a much inferior body to the Calcutta Police or the Indian Police. For this huge grant, I would ask the Hon'ble Mr. Prentice what sort of police we are getting and what sort of protection and if it is necessary at all to spend this huge amount of money. In the red book of the budget it is stated that but for the recent 10 *per cent.* cut in salaries the demand for the police would have been even higher, that is to say, we are fast approaching a time when not merely 20 *per cent.* but 30 or 40 *per cent.* of the total expenditure of the province will be required for maintaining the police for the sake of maintaining law and order. As I have already said, the people of this province are very much aware as to how law and order is being maintained in this province. I think it is absolutely on the wrong lines that the Government is proceeding and this huge expenditure on the police should and ought to be curtailed.

Mr. P. N. GUHA: I find that I have only one minute before you take up the adjournment motion. So I do not think I need speak.

The Hon'ble Mr. W. D. R. PRENTICE: In the one minute that remains, the point I would like to make is this. I do not know where Mr. Basu got his figures from, but the last Metropolitan Police Report which I have seen shows that the population of the metropolitan area is

7,837,290 and the expenditure on the police is £8,118,919, or over a pound per head. That is for the metropolitan police area. I am not sure where Mr. Basu got his figures from.

Mr. NARENDRA KUMAR BASU: I got my figures, as I said, from the appropriation report.

The Hon'ble Mr. W. D. R. PRENTICE: Might I suggest to Mr. Basu that that report probably does not include any of the local police rates that are, I believe, levied in all the counties of England; and that it probably only deals with the Government grants. The figure for the metropolitan police which I have quoted will show that there the expenditure is over £1 per head of population.

Mr. PRESIDENT: Is this your final reply or do you want to make a fuller reply later?

The Hon'ble Mr. W. D. R. PRENTICE: I understand that discussions on the police budget come to an end at 4-35.

Mr. PRESIDENT: Then we have 35 minutes left to be devoted to that subject.

4 p.m.

[**Motion for adjournment.**

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that the business of the Council be adjourned for the purpose of discussing a definite matter of urgent public importance, *viz.*, the unusual and unnecessary delay on the part of the Government in not effecting the immediate separation of the office of the Bengal Legislative Council from that of the Bengal Legislative Department.]

Sir, this question has been before the House for more than six long years so to speak and passed through various stages of considerations, namely, questions, resolutions, motions, etc., until it crystallised in the appointment of a Representative Committee of the House in view of the domestic nature of the case on the suggestion of Mr. Ormond.

Sir, the question in its career has already witnessed two dissolutions of this House including a *swarajist* regime, and another dissolution is almost imminent. Sir, it was destined to have suffered the transfer of the portfolio of the Legislative Department from the Hon'ble Mr. A. N. Moberly to the Hon'ble Maharaja Kshaunish Chandra Ray of Nadia, and next to the Hon'ble Sir James Donald, Hon'ble Mr. A. Marr and

lastly to the Hon'ble Sir P. C. Mitter including the short periods of temporary charges of Sir Nalini Ranjan Chatterjee and Hon'ble Sir B. B. Ghose.

Sir, the matter was tabled for a budget cut motion of Rs. 1,000 at the present session, but was not reached on account of discussions on a matter of considerable importance involving a grave constitutional issue, namely, the immediate grant of provincial autonomy as very ably mooted by Mr. A. F. Rahman and Babu Jitendralal Bannerjee. Hence this was ultimately guillotined. In view of the above circumstances, this question has taken a new turn and a fresh lease of life. Sir, it was on the 14th instant only that it came to the knowledge of this House—I refer to the answer given by the Hon'ble Member in charge of the Legislative Department to starred question No. 113 of Mr. S. M. Bose—that "the principle of separation has been accepted by Government." It is, therefore, almost axiomatic rather inherent in the acceptance of the principle that the nature, if not minute details, of the scheme of separation must have been settled at once. However, the usual corollary of the proposition is that the details settled at once should be put into operation, if necesssary, by another committee with the Hon'ble President in the chair, in view of the domestic nature of the case, as originally accepted by this House on the suggestion of Mr. Ormond, and specially as Government itself is a party amongst parties in this House. Sir, the objections of Government, technical or otherwise, either to the scheme of the Legislative Department or to that of the Hon'ble President are nothing but a matter of opinion of a party in this House. The unnecessary delay in constituting the representative committee and the manner in which its conclusions have been drawn and not yet been carried out—conclusions arrived at after a long deliberation of more than a year and by so eminent members of this House as Sir Lancelot Travers, Sir Jadunath Sarkar, Mr. A. Raheem, Nawab Musharruf Hossain, Mr. B. C. Chatterjee, Mr. J. N. Basu and so on under the chairmanship of the Hon'ble Sir P. C. Mitter—is really unbecoming on the part of Government and is seriously detrimental to the accepted and established privilege of this House. All these have made us anxious while the impending dissolution of the present House has made the question an imperative one. Sir, the committee on separation appointed from the members of this House, as already referred to, reported on the 2nd July, 1931, that "they consider that the question whether immediate steps should be taken should be laid before the Council for an expression of the Council's opinion * * * * * If the Council, when consulted, decide in favour of the immediate separation, they assume that the Hon'ble President may settle details." But Government has not yet cared to take or rather is reluctant to take any action on this vital point, nor has it given us any opportunity to know whether the question was at all discussed by it while the present budget was

framed. No explanatory note has been added in the budget of the Government of Bengal for 1932-33. Hence it is quite clear how the urgency of the question of immediate separation has increased by now. The delay and the nature of dealings of Government has made this House quite reasonably a bit suspicious about the real attitude of Government—rather a whimsical and unreasonable attitude—on this subject. Enough delay has been made to prejudice this question; but it cannot be allowed to hang on further. The Gordian knot must be cut once for all. Hence it is desirable that no further time should be lost in settling the details once for all, or it may be left to the Hon'ble the Pesident as decided by the Representative Committee.

Sir, one or two points more and I have finished. The motion has a very interesting and lengthy history behind it. Since the constitution of the Legislative Assembly Department in the Government of India, all the provinces have come forward to effect separation in their Legislative Council offices except Bengal which is lagging far behind. The Punjab, the United Provinces and Madras took early steps and have the portfolios of their Legislative Councils under the provincial Governors. The Central Provinces, Bombay and more recently the small province of Bihar and Orissa have taken the necessary steps in this direction. But Bengal is not yet in a decisive mood.

Before I sit down, I must say that the Hon'ble President is the trustee and custodian of the rights and privileges of this House. If the dignity of this House,—rights, privileges, conveniences of members of this House—is respected, if the Reforms which we have already got have to be worked out in the true spirit, if the Hon'ble President's position is to be safeguarded, then the views of this Council must be expressed in favour of immediate separation, *under any circumstances*, as explained in this House. If this is not so done, not so done by Government who is nothing but a party amongst parties in this House, then it is tantamount to say that Government is courting a vote of no-confidence to the Ministry as well as the Hon'ble President and that is the last but extreme constitutional issue, the only alternative open to us as the only remedy of a very small but significant and important constitutional matter of very urgent character.

Mr. S. M. BOSE: Mr. President, Sir, I am very glad an opportunity has been given to us for the ventilation of a grievance we members of the Council feel in this matter, and in fact we expected to have an earlier opportunity to discuss it in motions 381-390, for one of which I had given notice, and I am now only repeating what I intended to say on that motion, which was, however, not reached.

Sir, a great deal of water has flown down the Howrah Bridge since the 12th February, 1929, when Mr. Nagendranath Sen raised this matter in Council, and when on the assurance of Sir Provash Mitter that a committee would be at once appointed to deal with the matter,

he was induced to withdraw it. Over three years have elapsed, and we have made but little advance. The wheels of Government move exceedingly slow, and in spite of our utmost efforts to oil the creaking machinery, we have failed. This matter has been repeatedly agitated in this Council through resolutions and repeated questions from me and other members, and it is indeed a matter for regret that through inertia or some mysterious reason Government has been able to keep us at bay. Considerable light, however, on this question of the establishment of a separate Legislative Council Department has been thrown by the answer to my starred question No. 113 on the 14th March last, and the full reply given by the Hon'ble Sir B. B. Ghose has been of material assistance to us in affording us a glimpse behind the veil of mystery so long thrown over the subject. We now learn that the Hon'ble the President has submitted to Government a scheme which has, however, not been approved owing to the extra cost and difficulties of practical application.

This is all very interesting. But why does Government forget the fact that this is, as Mr. Thompson said in 1929, a purely domestic matter? Sir, we in the Legislative Council form a happy family, with you as the *Paterfamilias*, the *Kurta* of the family. If the head of a family has decided what servants to employ, what family budget of expenditure to adopt, can an outsider, like the Government, say "no, you must have so many in your staff, and must spend so much"? In these days of self-government and self-determination, can we not ask for freedom from control? We here want to be masters of our own household. If our head, in whom we have every confidence, makes a mistake, we, and not Government, suffer and we shall learn. Sir, in short, what we want is autonomy.

Now, after the answer to my question on the 14th instant, to prepare for my motion 387 on this point, which was expected to be called on, on the 17th or 18th instant, I went to the Hon'ble President to get him to throw some light on the matter.

We were naturally curious to know of his scheme with full details. But much to my surprise, I found him extremely reluctant to open his lips; he was as eloquent as a deaf-mute. A sense of delicacy, very strange to find in these days, prevented him at first from saying anything. I had to put considerable pressure on him; I pointed out that we had a right to expect assistance from him in this matter on which we all felt so keenly, that I had been for a long time taking a good deal of interest in it, that I was one in whom he had confidence, otherwise he would not have appointed me one of the panel of Chairmen. By these and other arguments, and by the exercise of what I am free to confess was undue influence and pressure, I was able to get the following fragments of information: (1) that his scheme would involve no additional expenditure at all, but, on the other hand, the Government would be a gainer (if it be accepted), having regard to the

impending retirement of the Assistant Secretary Mr. Hutchison and (2) that he has suggested a system of organised co-operation between the Council Department and the Legislative Department, whenever the state of work is excessive in any one or other of these two departments. But I was unable to get from him fuller details. Now I want the Hon'ble Member to give us full information about the President's scheme, and explain what are the difficulties standing in the way of its being adopted. He is more interested in the practical application of his scheme than the Government. After all, it is we who will suffer if the scheme turns out to be defective, so why not give it a trial at once? Otherwise it will be held up indefinitely.

4-15 p.m.

This desire for independence is the natural outcome of a wider principle—the Executive should have no control over the Legislature. We are familiar in English history of various attempts made by the Executive under the King to control the Parliament. It was only after a prolonged fight that the independence of Parliament was established in England. A similar principle, I maintain, should be established here. In no way should it be possible for the Government to influence the Legislature. The President should be independent and the officials of the House entirely under his control. These officials should not owe a divided allegiance—allegiance to Government which appoints them and transfers them—and allegiance to this House. This is wrong in principle.

I must, in passing, mention the bogey of expense that the Government has raised, hoping thereby to lay the ghost. The scheme of the President who is as much zealous for economy as the Government itself, will, I feel sure, be economical. This is clear from the answer (*a*) (*iii*) to my question. To place this matter beyond doubt, let the Government at once give us the full details. I deny the right of the Government to interfere with the President's right to control the House and its staff.

I need not here elaborate my suggestions. I have given them in detail in my speech on the 21st March, 1930.

Sir, finally I want the Government to realise the deep feeling of the members of the Council on this point. There seems to be a general feeling that the wishes of the House are being flouted. The scheme, as has already been stated, is in operation in the Assembly, and in several provincial councils, like Madras, the Punjab, the United Provinces, and Bihar. Ours is indeed a backward province, lagging behind other provinces in every important matter. I appeal to the Government to give immediate effect to the scheme of separation.

[At 4-20 p.m. the Council was adjourned for prayer and it reassembled at 4-35 p.m.]

Mr. A. F. RAHMAN: Mr. President, I am not going to inflict a speech on this House because practically every aspect of the question has been exhausted by the two previous speakers; but I would just like to place before the House three main considerations that have influenced the decision of some of us to support this motion.

The demand for the separation of the office of the Legislative Council from the Legislative Department was made a long time ago and since then the offices of the Legislative Assembly and the Provincial Legislatures of the Punjab, United Provinces and Madras have been separated and placed under the direct charge of the Governor, and more recently, we understand, Bihar and Orissa has decided to do the same. We in Bengal have received an assurance from Government, *i.e.*, from Sir B. B. Ghose, in reply to a question put to him the other day that our Government has accepted the principle of separation. We are thankful for small mercies received and are justified in this fresh demand for separation by the knowledge that the main difficulty at least has been solved. It is difficult to understand, however, the reasons for the unnecessary delay in giving effect to the policy supported by the Council and approved by Government. In the same answer of Sir B. B. Ghose it was suggested that the difficulties were two-fold—practical application and the all-important question of cost. As regards the first—practical application—what is the insuperable difficulty? There is already a separate Council section in the department, functioning smoothly and efficiently. Could not that section be the nucleus of the new office that we advocate? There is no overlapping duty and the business of this House keeps them thoroughly occupied. I have read somewhere that it is contended that these officers will have long periods of inactivity if they are asked to do Council work exclusively. The work of the Council is heavy enough during the first four months of the year and again in July and August, and as the Council feels an increasing sense of stability, the work will increase in volume and complexity. Signs of that are evident, but if that argument of periodic inactivity is seriously advanced, is it not possible—just for the sake of the principle that Government has accepted—to lend the services of these officers to other departments if it is found that at any period they have not sufficient work to do, or to declare the new Council Department as a vacation department like the Government schools and colleges with necessary modifications to suit the purpose or just like the Madras Legislative Council office which is a Vacation Department? Therefore, this is surely not the insuperable difficulty as there are other officers of Government who remain inactive during long periods of vacation. The more urgent consideration seems to me to be to respect the wishes of the House, and not be overawed by a preventible difficulty.

Lastly, Sir, let us examine the question of cost. This House has not been taken into confidence as regards the various schemes that have

been suggested for the consideration of Government, and it is, therefore, naturally not possible to criticise any of them or to suggest an alternative. We are told that you, Sir, were responsible for a scheme. Could you not be persuaded to take us into confidence and make a statement telling us whether your scheme is not a practicable possibility? A statement was made the other day that the extra cost involved would be Rs. 556 per month or roughly Rs. 7,000 a year.

From a statement laid on the Library table in March, 1929, I distinctly remember to have found that at present there are seven assistants, including the Librarian and the Stenographer, who, I find, do exclusively Council work. Is it not possible to manage the office of the Council with the existing staff, and so far as purely legal work is concerned, this staff could be apportioned equally between the Legislative Department and the Council Office? With the cost that is being incurred now, it seems to me that the separation of the two offices is practicable and feasible. Even if a little extra cost has to be incurred, I notice in the budget that one of the superior officers is going on leave this year, and there will be a saving under that item. Even on the assumption of Government, this amount would be enough to effect immediate separation and for the future, we too have been infected by the optimism of the Finance Member and shall hope for better times. Then again, Sir, if money has to be found, a serious attempt can be made *at once*, by curtailing hill allowances and travelling allowances. You will admit, Sir, that this item is unnecessary and could be conveniently retrenched. Huge amounts have been put down for the payment of rates and taxes and for the upkeep of these premises. I suppose if Government took the matter up with the Corporation, considerable saving could be effected in rates and taxes and a little more pruning would release something from the upkeep expenses. I say all this because I wish to indicate the sources from which considerable money would be available, on the assumption that Government cannot find Rs. 556 a month, and because I wish to urge this House *to say once again emphatically that they are in favour of immediate separation and that all difficulties could be easily obviated.* This separation should not be delayed further—nor even on the very favourite plea that all things would be done with the advent of the new constitution. With the next constitution—and that is bound to come—this Council will be the centre round which the entire Government machinery would revolve; it would be impossible to wait for a period of intensive activity to try and effect all things at once. New reforms are bound to bring in many turmoils and other important financial adjustments. It is just as well to recognise that and be prepared as done in the Legislative Assembly. Besides, the Council gave its considered verdict for separation in the circumstances as they exist at present. In the

report of the committee appointed to consider this question, it was said that the House should be asked if they wanted separation at once. Government has not done that and I respectfully ask the House for the honour of this House to give the answer to-day.

4-45 p.m.

Rai KESHAB CHANDRA BANERJI Bahadur: Sir, the question of separation of the combined office of the Legislative Department and Legislative Council is not a new or novel one. A resolution was tabled for discussion by Mr. Akhil Chandra Datta in the meeting of the Bengal Legislative Council, held on the 13th December, 1927, but as the time-limit was reached, it could not be moved. There was, however, a good deal of debate on the matter and the question was carefully considered by the department and the then Hon'ble Member-in-charge, the late Maharaja Bahadur of Nadia, as I had the privilege to know then. It would, indeed, be a weak case for Government to oppose separation on the ground of (1) convenience; (2) efficiency; and (3) economy. If it were to be opposed by Government, then it must be assumed that they were backing the wrong horse unless more convincing reasons could be put forward which Government were not in possession of. Then, Sir, in a statement called for by Mr. Jatindra Nath Chakravarty in an unstarred question on 20th March, 1929, the Hon'ble Sir Provash Chunder Mitter supplied the information regarding the entire gazetted and non-gazetted staff of the Legislative Department with their pay and the duties performed by them. The Hon'ble the President's personal clerk was not included in the list as the post presumably was not then filled up.

The question was further discussed in connection with a resolution moved in the Council by Mr. Nagendranath Sen on the 12th February, 1929, urging the separation of the said offices with effect from 1st April, 1929. After a protracted debate, the resolution was withdrawn on an assurance being given by the Hon'ble Sir P. C. Mitter, regarding the appointment of a representative committee of the Council to go fully into the question and report to Government and the Council. As the Council was dissolved immediately afterwards, a committee was constituted representative of the various parties in the Council some time after its formation. Inquiries had been addressed to the other Local Governments on the subject of the systems obtaining in the various provinces, and the material collected had been prepared and printed along with the information for the use of the committee. The committee met only twice, for the first time on the 12th July, 1930, and again on the 1st April, 1931. The Hon'ble Sir P. C. Mitter, KT., C.I.E., stated that the probable extra cost of setting up a separate department

amounted on a tentative estimate to between Rs. 27,000 and Rs. 30,000 a year. The conclusions of the committee were as follows:—

"(1) That there is a strong sentiment in favour of the separation of the Council establishment from that of the Legislative Department and that this separation is desirable.

(2) That having regard to the existing volume of work and the present stringency in the finances of the province, the committee hesitate to recommend that immediate steps should be taken in the matter, though they consider that with the inauguration of the future constitution, the separation should be provided for. They consider that the question whether immediate steps should be taken, should be laid before the Council for an expression of the Council's opinion, and they desire that Government should at this stage ascertain from the Hon'ble President his views upon the matter. If the Council, when consulted, decides in favour of immediate separation, they assume that the Hon'ble President will thereafter be consulted in the settlement of details."

Sir, I would not have risen to support this motion if I were convinced of the arguments advanced against the splitting up of the combined offices of the Bengal Legislative Council and the Bengal Legislative Department. So far as the question of financial stringency is concerned, I regret I cannot see eye to eye with those who put forward this plea. I understand that the scheme of the Hon'ble the President which has not been circulated to the members of this Council, shows an increased recurring cost of about Rs. 6,000 a year. Supposing that this amount were essential to the creation of a separate department of the Legislative Council, may I inquire whether this paltry sum could not be spared for the purpose?

The Hon'ble Member in charge of Law and Order has consumed a substantial portion of the provincial revenues and are we to understand that Government will not provide him with more money if he comes up subsequently with a supplementary demand? I may be permitted to point out, Sir, that the separation of the offices of the Legislative Council from that of the Legislative Department will involve no extra expense if only the reshuffling is judiciously made and the work distributed with an eye to economy.

Sir, it may be argued that the separation of the combined offices will require the entertainment of an additional staff which, I do not think, will be the case. Assuming for argument's sake that an extra staff will be necessary, I am sure the increased cost may be met from the allowance of Rs. 13,000 which is paid to the ten official reporters of the Council throughout the year for Council work only. Thus, on this head alone, a saving of over Rs. 13,000 could be effected. Then again, Sir, a sum of Rs. 3,500 is spent to meet the travelling allowance of the officers of the Legislative Council on account of their annual exodus to Darjeeling

and a further sum of about Rs. 1,500 is paid to them as their hill allowances. It will thus appear that there is an ample scope for economy in expenditure which is incurred by Government and I must say, quite unnecessarily.

In the budget estimate for 1932-33, provision has been made for an amount of Rs. 30,000 on account of rent, rates and taxes for the Council House. I may point out, Sir, that this provision is wholly unnecessary because the land on which the building stands is outside the limits of the Corporation of Calcutta and no rents, rates and taxes are to be paid by Government on account of this building, only one *katha* of land is under the Calcutta Corporation which may be conveniently made over to them.

Sir, we are clamouring for provincial autonomy. Let us have autonomy within the precincts of this Council House first. Now that Government have accepted the principle of separation as is evident from the reply to a question put by Mr. S. M. Bose on 14th March, 1932, I hope the House will adopt the motion unanimously.

I may add, Sir, that except Bengal, Burma and Assam, there has been separation of the two offices in the other provinces as well as in the Indian Legislative Assembly, and there is no reason why Bengal should lag behind.

I shall not tire the patience of the Council by a mere rehash of the arguments which have been staled by repetition into commonest commonplaces. I would only refer the House to the proceedings of the Legislative Assembly (pages 219 to 224, 922 to 940 and 1249 to 1263, Volumes III and IV, 1928), and the Bengal Council proceedings of March and April, 1930 (pages 258 to 271), and of July and August, 1931 (pages 30 and 275).

With these words, I support the motion.

Mr. C. C. COOPER: As there seems to be some misapprehension regarding the attitude of my party to this question, I wish to make clear our position. Government have accepted the principle of separation, and we have accepted that decision. We recognise the deep feeling in this House in favour of separation, as we hold ourselves second to no party, or to any person in this House, in upholding the dignity and traditions of this House. We do favour a clean-cut separation. It is the only way, the only practical solution. But a clean-cut separation means money, and this Council is committed to retrenchment and economy—the two words I suppose these walls have heard more than any other—yet, when this Council wishes to spend money on a question like this, these words seem to have no value. I understand there are several makeshift schemes, compromise schemes that have been

considered, or are being considered, or are under consideration. I submit, Sir, compromises are never satisfactory, and in a question of this sort I do not think that it is compatible with the dignity of this House that there should be any compromise schemes. We should have the whole or none.

Babu JITENDRALAL BANNERJEE: Mr. Cooper begs the whole question when he says that a clean-cut separation requires money. I do not know where he got that information. He has not favoured us with any data or facts in the matter, but he has given his *ipsi dixit* and thinks he has succeeded in hypnotising the members of the House by saying that there are insuperable difficulties in the way. Sir, I beg to give strong support to Mr. Jalaluddin Hashemy's motion because of the shabby, disingenuous and deceptive way in which the Government have treated this House on the question of separation. For two long years they have been saying that they accept the principle, and this word "principle" has almost become as blessed as the other word "Mesopotamia." And because they have accepted the principle, therefore, they are never going to carry out their principle in action! After all, what are the insuperable difficulties in the way? We are told that these difficulties are practical and financial; and for the past two years we have been bombarding Government with questions in order to know what these so-called practical and financial difficulties may be. But they have never given us a clear and definite reply—they have been only shuffling and equivocating. Why do not the Government lay their cards on the table? They say that this is a domestic question: so it is, for we, members, are as much interested in this question, nay, more interested than the Government itself. And, therefore, it was the duty of Government to take us into its confidence, and place their difficulties before us in order that we too might help in their solution. But they have taken good care not to do that, and why? Because in point of fact there are no practical difficulties. What then are the financial difficulties in the way? How much money is separation going to cost? Has Government ever placed any material on this question before us? We are told that there are two schemes; and Mr. Cooper has told us that they are both half-hearted schemes and compromise-measures. How does he know? Has he any personal knowledge? Has he been taken privately into the confidence of the Government? If it is so, then I must say that it is most unfair that they should have placed before him facts and data which they have not had the courage to place before the House as a whole—

Mr. C. C. COOPER: On a point of personal explanation, Sir——

Babu JITENDRALAL BANNERJEE: Sir, I refuse to give way now. Mr. Cooper's personal explanation is nothing to me and must wait. Mr.

Cooper talked as if he was in the confidence of the Government. There is the scheme of the President, we are told, which is not likely to cost more than Rs. 566 per month. And what grounds has Mr. Cooper for saying that this scheme is a compromise-scheme or that it is bound to be unsatisfactory? I have always been against half-hearted measures myself. But supposing the President's scheme is not good, there is the scheme of their own Legislative Department; that also has been considered and not acted upon. It is the same story everywhere: they have considered all sorts of schemes over and over again, but they have done nothing and mean to do nothing.

So far as the principle of the thing is concerned, it is very simple and very clear. Sir, I am under no delusion as regards the character of this Legislative Council. This Council is not a Parliament; it is not even like the Legislative Assembly; its powers are limited and circumscribed. But limited as the powers of the Legislative Council may be, the Council has yet a unique character of its own. For one thing, this institution is not subordinate to the Government; it is no part of the bureaucratic machinery; that is one remarkable feature of this Council. There is another remarkable feature about it, namely, that this Council is an institution where all the members are equal, and the high-placed dignitaries sitting on the Treasury bench are no better than A.B.C., X.Y.Z., or myself or my humble friend, Hashemy. Even you, Mr. President, you are one of our equals; *primus inter pares*, first among equals, but an equal all the same.

5 p.m.

And it does not stand to reason where all the members are equal, where all the parties are equal, why one party of the House, *viz.*, the Government, should have the office of the Council under its absolute control? This is an objection on the score of principle which I defy the Government Members to get over. The Government are only one party in the House; they are a party in a permanent minority, a party of 26, and there is no party in the House so poor as to have an attenuated strength of 26 only. No doubt, it sometimes swells its ranks by filching members from this side of the House to the other, but that is a matter of *loot*, not of legitimate business.

Thus, so far as principle is concerned, the question is perfectly clear. Sir, I find that Mr. Marr is pluming himself for a reply—he is getting his hackels ready. He is itching to say that Government have accepted the principle: so they have, only they do not mean to act upon it. Then, apart from principle, there is the question of precedents. Sir, this is a precedent-hunting, precedent-loving Government, and I will give them precedents galore. There is the precedent of the Legislative Assembly. We had a great stir there some time in 1928, but things have been

settled now to the satisfaction of the Assembly. There has been separation also in the Punjab, in Madras and in the United Provinces; but in Bengal, we are still vacillating and considering. In this matter of non-separation, Bengal, Sir, stands in the unenvied category of such backward provinces as Assam and the Central Provinces, not from any fault of ours, but simply because certain high-placed Members of the Government cannot bear to part with the paltry measure of patronage they now exercise.

Sir, let me briefly glance at the financial aspect of the question. For the time I shall proceed upon the assumption that the President's figure of Rs. 566 per month which comes to Rs. 7,000 *per annum*, holds the field in the absence of other figures. Sir, the Hon'ble Sir B. B. Ghose told us the other day that this sum of Rs. 7,000 was the "last straw"——

Mr. PRESIDENT: Mr. Bannerjee, I never said that my scheme involves an additional expenditure of Rs. 566 per month. I must correct you here; my scheme, in fact, does not involve any extra expenditure.

Babu JITENDRALAL BANNERJEE: I stand corrected, Sir. What you say only strengthens my case; and this is only another instance of how we are handicapped by the reticence and secretiveness of the Government. You told us some time ago in answer to an appeal of mine at the time of supplementary question on the subject of separation that your lips were sealed; and this is a matter of legitimate and very serious grievance with us, members of the House. In a matter of such importance as this, why should the President's lips be sealed? We are entitled to get his opinion. We are entitled to get his guidance. We wish to have it, and why should the Government rob us of our privilege? Sir, as I was saying, the Hon'ble Sir B. B. Ghose has my sincerest sympathy in this matter, for he will presently be called upon to defend a measure with which he may not be in sympathy and about which, as he pathetically confesses from time to time, he knows nothing. Sir Bepin was telling us the other day that this sum of Rs. 7,000 was the proverbial last straw which would break the Government camel's back. Sir, I had no idea that things had come to such a pass as this! But surely it could not be beyond the financial genius of the hon'ble members opposite to provide for a poor, bare Rs. 7,000 a year out of the various allotments in the budget. Why, Sir, from the present financial statement we find that the cost of upkeep for this Council House has gone up by Rs. 10,000? That did not break the Government's back; they found the money readily enough, and I am sure they could have found the sum of Rs. 7,000 also if they only wanted to do so. It is not a question of "can't," it is a question of "won't." Again, in the budget, you have provided Rs. 1,500 for hill allowance in connection with the Council, and I understand that the actual expenditure comes up to

Rs. 3,000 which is shown under other heads. But the Council does not go up to Darjeeling, and you can easily save the money under that head. Why should you require money for hill allowances when the Council does not move up to Darjeeling? I wish it did, but it does not. Again, there is Rs. 13,000 for the reporters. Now, I do not wish to speak disparagingly of the reporters; they are an estimable body of men and they have to work under exceptional difficulties; but I must say that the work of reporting is not done as efficiently as it ought to be. I do not blame the reporters for that. It is the Government which is to blame, and the faulty arrangement of work. It is the stenographers from the Secretariat who are employed as Council reporters; and as these gentlemen do not get sufficient practice in speed, it is no wonder that their work is not very well done. But if, instead of the present system, you employ shorthand writers on a contract basis, paying them even Rs. 200 a day, you will at once be able to make a saving of something like Rs. 6,000 per year. On an average, the Council does not sit for more than 32 days a year. Supposing it sits for 40 days and supposing you pay Rs. 200 a day to the reporters, you will not have to spend more than Rs. 8,000 a year under this head. This means a saving of Rs. 5,000 a year, and, as I have already shown, there is another saving of Rs. 3,000 under hill allowances. And so your estimated annual cost of the separation may be made up from these two items alone. Again, I do not understand how the expenditure under rates and taxes can be so high. You have budgeted from Rs. 30,000 under this head. Most probably none of this account will be required; in any case, there will be an ample margin left to cover any possible deficit. Sir, all these financial and practical difficulties have cropped up as a result of the unfortunate report submitted by the committee appointed by the Government. That committee has been called a representative committee, and has come in for many bouquets in the course of this discussion. The committee consisted of such eminent businessmen as Mr. J. N. Basu, Khan Bahadur Azizul Haque, Sir Lancelot Travers and others. As an instance of the businesslike spirit and methods of the committee, I should like to mention just one fact and no more. During the ten months from July, 1930, to April, 1931, this most businesslike and representative committee sat only on two occasions; only two members were present on both the occasions and after these exhaustive and laborious researches the committee submitted a precious report which might as well have been dictated by the Hon'ble Member in charge of Land Revenue. In that report they say that it was very desirable that the Council should be separated from the Legislative Department, but—but—but—there is always a "but" in these matters—they hesitated to make the recommendation as the creation of a new department would entail a heavy expenditure of money. Sir, how could the committee come to this conclusion, when they had no data before them? The eminent and businesslike men who composed the committee never thought it necessary to call any evidence, they did not

examine the Secretary or Registrar, or any official of the department, they swallowed any kind of dope that was handed over to them by the Hon'ble Member in charge of Land Revenue, and then they submitted their precious report on half a sheet of note paper. The committee, however, let it be said to their credit, made one valuable suggestion, *viz.*, that the matter should be placed at once before the Council for an early expression of their opinion. But the Government never took any steps to consult the opinion of the House. And, therefore, very reluctantly, the House has been compelled to adopt this extremely unusual method of bringing forward the question by a motion for adjournment. But it is the obstinacy and secretiveness of the Government which is responsible for the procedure we have been led to adopt; and, in any case and whatever the procedure may be, the case for separation is plain, overwhelming and irresistible.

The Hon'ble Mr. A. MARR: Sir, we have just now been treated to a great speech by Mr. Bannerjee. I am afraid that I have not his eloquence to put my case forward. Before I go into the details of this question, I should like just to call the attention of the House to one or two arguments that have been used in course of this discussion. Mr. S. M. Bose put forward what, in my opinion, is the extraordinary proposition that, this House being an autonomous institution, Government have no right whatsoever to interfere in a matter of this nature, and that if this House accepts any scheme involving any expenditure relating to itself, Government are bound to accept it. He also fell into the error of raising the question of the executive having any control over the legislature in a matter like this. Mr. Bannerjee was also eloquent on this subject. I may point out to them that they are in complete error. There is no question of control of the executive over the legislature; it is simply a question of the introduction of a scheme of expenditure. Even when we have provincial autonomy, any scheme of expenditure which has to be met from public funds will have to go before an autonomous Finance Department under an autonomous Finance Minister, and if the Finance Department recommend it, the proposal will have to go before an autonomous provincial Government and they will have the final say in the matter. There is no question of the executive exercising control over the legislature here; it is merely a question of spending public money. Therefore, I consider Mr. Bose and Mr. Bannerjee have gone quite wrong on that point.

Mr. A. F. Rahman, as also Mr. Bannerjee, drew the attention of the House to the item of rates and taxes, and they assumed that there would be a saving under this head because the land on which this building stands is not within the jurisdiction of the Calcutta Corporation as it stands on Government land, and that, therefore, we will not have to pay any rates and taxes at all. May I point out that we actually pay rates and taxes on all buildings even though they stand on Government land?

We, or rather the Government of India, pay for Belvedere; we pay for Government House, and I may say that in July and August we are able to make a saving of something like Rs. 28,000 a year out of the rates and taxes of some of these buildings when unoccupied. Sir, when that argument was put forward, I was not sure of the exact position and so I sent to the Corporation office to get a copy of the valuation. If you look at the budget, you will find that the actuals for rates and taxes for last year were Rs. 26,000. This year the budget was placed at Rs. 34,000 and next year we have provided Rs. 30,000. I have now got the municipal valuation of the lands and the building on them, and this building with the land has been annually assessed at Rs. 31,100. The main question whether this building and the land attached to it is liable at all to rates and taxes, as being on military land, and the further question as to what the assessment will be are still under correspondence with the Corporation, but until these questions are decided, we cannot count on this as a saving.

Then, Sir, Rai Bahadur Keshab Chandra Banerji foresaw a saving of Rs. 13,000 under the head "Council reporters." Surely he must realise that under any scheme whatsoever we have got to have Council reporters of some sort and they have got to be paid. He and Mr. Bannerjee also forgot that a certain expenditure is incurred over the President's and Secretary's journey to Darjeeling under peons' and clerks' travelling and hill allowances.

Now, Sir, I should like to deal with the main question. As everybody is aware, Government have accepted the principle of separation, and a good deal of acrimony has been expressed during the debate because Government have not since taken this House into its confidence. We are not to blame for this. It was really the fault of the members of this House. When the motion for demand came under discussion under the head "22—General administration," this question could have been raised, and if it had been raised at that time, I would have given all the facts that I am now going to place before the House. I shall now be glad to place before them the details of the different schemes.

Now, Sir, I come to the details of the different schemes. I am not going to attribute each scheme to any particular person. I am taking them in the order of cost. One scheme has been put forward which involves no extra expenditure to Government. Mr. Cooper said that he would prefer a scheme which meant clean-cut separation; Mr. Banerjee questioned that and considered that this particular scheme fulfilled that condition; but I hope I shall be able to explain this scheme does not do so.

5-15 p.m.

Under the first scheme the two departments are to be separated only on paper. The superior staff, that is to say, the Secretary and his

assistants only, are to be separated, but all the rest of the office is going to be left in a sort of fluid condition, to be lent from one office to the other office when wanted. Well, we have considered that scheme and we are all agreed (and I say it with many years of administrative experience behind me) that it would be absolutely and totally unworkable. It is not complete separation to begin with; it means that the whole subordinate establishment would be under two masters who may call on their services at the same time and who may not agree. Government came to the definite conclusion that it would be utterly impossible to work such a scheme.

Then the next scheme which has been put forward is a scheme which entails on paper a cost of Rs. 566 per month or about Rs. 7,000 a year. Now that is described as a scheme of complete separation, but in the Finance Department we have two very definite criticisms of this scheme. The first is that at present we have 10 Council reporters working on allowances for reporting the proceedings of this Council. But under this new scheme there are to be only 6 Council reporters on reduced pay, a good deal lower than the present pay of the reporters, to do the same work. We feel that this reduced scale of pay will give us less competent men and 6 men could not possibly be able to do the work of 10. Therefore the Finance Department thought that from this point of view this scheme is not workable.

Babu SATISH CHANDRA RAY CHOWDHURY: But in that case we should have whole-time reporters.

The Hon'ble Mr. A. MARR: Mr. Bannerjee complained about the present reporting. I admit that our Council reporters are not all up to the proper standard, but I would ask him what is to happen when only 6 instead of 10 men, and that on u lower pay instead of the present pay, are doing the work.

Mr. B. C. CHATTERJEE: Mr. Bannerjee suggested paying the reporters on a contract system.

The Hon'ble Mr. A. MARR: I intend to criticise that proposal and I shall come to it later on.

As regards Mr. Satish Chandra Ray Chowdhury, he asked for whole-time reporters. That is another doubtful point about this scheme. This scheme proposed that these 6 Council reporters will not only report the proceedings of the Council but will also work as clerks in the office. That may be possible when the Council session is over, but immediately before the Council and during the session, is it possible for them to do so? Further, the Legislative Department has worked out that, while the Council is sitting, 14 clerks are absolutely necessary to do the work of the Council meetings. I can give details if the members wish. Even

if we take two of the four typists, 12 clerks would be necessary to run this work. Under this scheme there would be 6 clerks to do the work of this House and the balance up to 12 would be made up by the 6 reporters. I have explained already that these 6 reporters will not be available for office work while the Council is sitting. I think you will all agree that this proposal is utterly impossible.

Now let me mention the second main objection we have to this scheme. Even to do the ordinary work of this House, 14 clerks are necessary. This scheme allows for only 2 typists and 6 clerks. Assuming that there will be 40 meetings of the Council, this scheme would mean that this clerical establishment——

Mr. PRESIDENT: May I know to what scheme you are referring?

The Hon'ble Mr. A. MARR: I am referring to the Rs. 566 scheme. This clerical establishment will be doing no work except when the Council is sitting and immediately before this. They will have no work for the rest of the year.

Now a third scheme has been put up which would cost Rs. 876 per month or Rs. 10,512 *per annum*. That scheme is for complete separation except that the present machinery for Council reporting is left intact. So the present arrangement will go on and the allowances to the reporters will continue. But this scheme would cost Rs. 10,000 and odd and would still not be complete separation.

Then Government decided to draw up a scheme of complete separation and see what it would cost. We have done that and find that the extra cost depends to a certain extent on what scale the reporters are paid. At the least that scheme would cost anything from Rs. 17,000 to Rs. 25,000 *per annum*. Government considered this and felt that honestly in the present financial circumstances they would not be justified in putting this forward, especially when they are definitely recommending a retrenchment committee to see whether they can propose any curtailment of expenditure.

Further, this last scheme of complete separation raises a difficulty about the future of the Legislative Department and corresponding arrangements in the Secretariat. We have not been able to arrive at a solution of that difficulty yet. The position is different in the Legislative Assembly; there the Assembly Department deals purely with legislative work, while the Legislative Department deals not only with the drafting of Bills, interpretation of statutes and rules, but also do the work done in Bengal by the Legal Remembrancer and his legal assistants. Government have not come to any decision as to how such a combination can be carried out in Bengal.

These are the details of the four schemes that we have considered and I claim that the first three do not give the complete separation which

you all desire and the fourth scheme is not justified in the present circumstances. If any one wishes to have any further details, I am quite prepared to supply them.

Mr. B. C. CHATTERJEE: The great difficulty with which we are faced is that we know nothing of the four schemes which have been discussed by the Hon'ble Mr. Marr. One by one they have been torn to pieces, but we do not know what they are. What the Hon'ble Mr. Marr is asking us to accept is merely the criticism of some schemes which we have never seen and of which we know nothing. I as a lawyer cannot understand this, or think of anything more impossible. We are asked to vote on this resolution, and the Hon'ble Finance Member tells us merely his opinion on the schemes which he apparently does not like. We should like to know what these schemes are, and what the acceptance of any one of them at once would mean. The Hon'ble Finance Member has not answered Mr. J. L. Bannerjee's point that we can make a saving in the cost of reporting by accepting his proposal of engaging reporters on a contract basis. He said that if we had reporters on Rs. 200 a day, the utmost cost would be Rs. 8,000 *per annum*. Thus we would have better reporting, and we could also make an immediate saving of Rs. 5,000.

Another matter that strikes me is this: Up till now we have been having for our Secretary, a member of the Civil Service; and necessarily he costs a very good deal of money, whereas if we had for our Secretary a gentleman who does not belong to the Civil Service, we would be able to effect a good bit of economy in the matter of the salary paid to our Secretary. If we take Rs. 5,000 from the expenditure on the reporters, and add to it the saving that would be made if we did not continue having a Secretary from the Civil Service, then we should be opening up very effective channels of economy by going along which we could get the separation effected, without it being a financial burden in the way on the Hon'ble the Finance Member.

The point that really hurts me is this: As Mr. J. L. Bannerjee has said, and as we all feel in our heart of hearts, there is too much acceptance of the principle, and too much of hesitation in giving effect to it. What is the point in your saying that we accept the principle, if you always fight shy when you are asked to put that principle into operation? Here in this case we are on the strongest possible ground. The whole of India, that is to say, all the provinces of India worth mentioning, have had their Council staff separated from Government. Why should not we have it? The only reason given by Mr. Cooper is no reason; he has no explanation to offer against this scheme. As far as the Finance Member is concerned, I understand he opposes it on grounds of economy which we meet and get over by means of the recommendations I have made. That being so, and having regard to the assurance the President

has just now given us that he has thought of, and propounded, a scheme which will mean no extra cost at all, having regard to all these factors, why should we not have this put into effect here and now, instead of waiting for an uncertain date? One does not know when that date is going to dawn, when we shall have provincial autonomy ready-made and thrust on us. It is the fashion nowadays to ask one to wait till the grant of provincial autonomy; that seems to me ridiculous. Before we get provincial autonomy, we ought to get ready for it. Here is a method of getting ready for it; if Bengal is to have provincial autonomy, its Legislative Council should be autonomous, to start with. I do not see how we can, as self-respecting men sitting here as members including the Ministers I must not omit to say, how consistently with our self-respect, we can oppose a scheme like this. What is the objection of the European members to the scheme except that the Government do not like it? I must ask the European members of this House to cultivate the habit of taking a view detached from that of Government; it is ridiculous to see so many members who have been elected to this House always showing an unthinking, indiscriminate and blind dependence upon whatever the Government want to do. I appeal to the self-respect of the European members, and ask them to judge things on their merits and not by what the Home Member or the Finance Member says; and I challenge any of the gentlemen facing me to get up and give a reasoned criticism of the scheme which we are advocating, excepting the criticisms made by Mr. Marr. I ask them, if they can, to contest the argument that I put forward before them once again. The first is that we effect an economy of Rs. 5,000 if we adopt the method of reporting suggested by Mr. J. L. Bannerjee. Secondly, we can make another saving if we cut down the pay of the Secretary who at present belongs to the Civil Service and other expenses for the upkeep of the building and the department. If we accept these methods at once, there is no reason why we should not have separation; surely, they cannot but see that separation is necessary for the operation of an autonomous Council. But, alas! I know I am speaking to deaf people, people who have already made up their minds to follow Government, into their lobby. It is really a disquieting sight to see such a lot of educated, influential men always saying "yea" with Government. When will they take this halter of acquiescence off their necks, and become men?

Mr. J. CAMPBELL FORRESTER: I wish to know whether we are men or not.

Mr. B. C. CHATTERJEE: They are always deaf when we talk reason, but are very much alert when Government talks unreason.

5-30 p.m.

Now I appeal to our Hindu and Muhammadan friends of this House not to listen to Mr. Marr or Mr. Cooper or anybody else, but to assert

their own self-respect. Let us remember that we are going to vote for a self-governing Council. I would also ask the land-holding gentlemen who, as a rule, run away when there is a voting. Let them just once realise that the people are going to govern them, and let them not run away in order to placate a few of the vanishing rulers. Let them not displease those who are going to be their permanent rulers. Let them, no longer, betray this absurd cowardice which becomes manifest from their conduct from time to time when they run away to avoid voting. (Question.) There are of course one or two who are quite different. I would ask everybody, be he a Hindu or a Muhammadan or an Englishman, be he a merchant, be he a lawyer, be he a *zamindar*, to come forward and vote with us and against Government.

The Hon'ble Mr. A. MARR: On a point of information, Sir. The Secretary of the Council may not necessarily always be a member of the Indian Civil Service.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that the question be now put.

Mr. J. CAMPBELL FORRESTER: Mr. President, Sir, might I be permitted to point out to the House the attitude taken by Mr. Chatterjee to the European group? On every occasion he has an opportunity, he has something irritating to say about the Europeans. Yesterday he got me into trouble with you, Mr. President, through his tantalising manner. Now he has thrown out a challenge to the European group to say that they dare vote against the Government. If Mr. Chatterjee had read his report of the proceedings of the Bengal Legislative Council, he would find that this group frequently voted against the Government and speaking on behalf of the elected members I may state that we have always taken an independent view and vote according to what we consider is best for the electors. We have no slave mentality. We are British and act as Britishers should.

The motion of Maulvi Syed Jalaluddin Hashemy was then put and agreed to.

[At 5-35 p.m. the Council was adjourned and it reassembled at 5-45 p.m.]

Demands for grants.

The discussion of the demand under the head "26—Police" was then resumed.

Mr. SYAMAPROSAD MOOKERJEE: Sir, before you proceed, might I just put a question? The Hon'ble Mr. Prentice said yesterday

that he would make a statement regarding Chittagong. When will he make that statement?

The Hon'ble Mr. W. D. R. PRENTICE: I have not got the papers here and I cannot say definitely.

[The time-limit for the discussion of the demand under the head "26—Police" having been reached.]

The motions of Babu Satya Kinkar Sahana, Dr. Naresh Chandra Sen Gupta, Mr. P. Banerji and Maulvi Abdul Hamid Shah were then put separately and lost.

The motion that a sum of Rs. 2,03,95,000 be granted for expenditure under the head "26—Police" was then put and agreed to.

The following motions under the head "26—Police" were not called owing to the expiry of the time-limit: —

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 12,78,000 under the head '26A—Presidency Police' be reduced by Rs. 500 (to discuss the evil effects of carnivals going on in Calcutta)."

Babu AMULYADHAN RAY: "That the demand of Rs. 42,78,000 under the head '26A—Presidency Police' be reduced by Rs. 100 (to draw attention to the want of provision in matters of appointments for the candidates of the backward classes in this department)."

Mr. P. BANERJI: "That the demand of Rs. 42,78,000 under the head '26A—Presidency Police' be reduced by Re. 1 (to raise a discussion on the recruitment of Presidency Police Force from outside the province)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 42,78,000 under the head '26A—Presidency Police' be reduced by Re. 1 (grievances of the depressed classes in the matter of appointment in the department)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,08,000 under the head '26C—District Executive Force—Pay of officers' be reduced by Re. 1 (to press that the posts of Deputy Superintendents of Police should be abolished)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,65,465 under the head '26C—District Executive Force—Pay of establishment —Assistant sub-inspectors, etc.' be reduced by Rs. 100 (to draw attention to the policy followed in the recruitment of assistant sub-inspectors

in accordance with an antiquated circular causing great injustice to the claims of the Muslim community)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,65,465 under the head '26C—District Executive Force—Pay of assistant sub-inspectors and head constables' be reduced by Rs. 100 (as a disapproval of the method followed in making recruitment by direct appointment)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 45,61,528 under the head '26C—District Executive Force—Pay of establishment—Constables' be refused."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 3,85,063 under the head '26C—District Executive Force—Temporary District Intelligence staff' be reduced by Re. 1 (for submission of unreasonable reports)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 90,69,500 under the head '26C—District Executive Force—Police Force—District Police' be reduced by Rs. 10,00,000."

Maulvi AZIZUR RAHMAN: "That the demand of Rs. 90,69,500 under the head '26C—District Executive Force—Police Force' be reduced by Re. 1 (to raise a discussion about the manner in which Local Government orders are complied with by *thana* officers)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 90,69,500 under the head '26C—District Executive Force—Police Force' be reduced by Re. 1 (to discuss the legality of *lathi* charges and other methods adopted by them in dealing with civil disobedience movement)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 90,69,500 under the head '26C—District Executive Force—Police Force' be reduced by Re. 1 (to discuss the legality of arrests made by the police on mere suspicion of persons of good social positions and their subsequent release before trial)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be refused."

Mr. P. BANERJI: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Rs. 13,29,670."

Mr. R. MAITI: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Rs. 50,000 (to draw attention to the atrocities committed by the police in the district of Midnapore and other places)."

Mr. R. MAITI: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Rs. 50,000 (to raise a discussion about the overwhelming number of dacoities, thefts and burglaries in the province and the inability of the police to cope with the situation)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Rs. 32,000."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force—Pay of officers and establishment' be reduced by Rs. 1,000 [excess at Chittagong, Hijli and Dacca before the civil disobedience movement and excess at Hossainabad, Nawabganj (Dacca), Midnapore and other places of Bengal during the present civil disobedience movement, misuse of powers under the ordinances and conduct of the officer in charge of the Tala police-station in the district of Khulna]."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force—Pay of officers' be reduced by Rs. 1,000 (general policy with special reference to propaganda regarding fall of prices of jute and paddy. Excesses with regard to civil disobedience movement)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 1,32,96,700 under the head '26C—Police—District Executive Force' be reduced by Rs. 1,000 [to raise a discussion about the Hossainabad shooting affairs (in police-station Laksham in the district of Tippera)]."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Rs. 1,000 (to raise a discussion about police administration in the *mufassal* and the increase of dacoity and other crimes on person and property which are being neglected owing to their activity in other directions such as under the Ordinances and Bengal Criminal Law Amendment Act)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Rs. 900 (to raise a discussion about the hooliganism at Chittagong and the assaults at Hijli Detention Camp)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Rs. 100 (recruitment of Mussalmans in the police service and the promotions in the service)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force—District Police' be reduced by Rs. 100 (to discuss the inefficiency of the force in dealing with ordinary crimes, particularly violent offences against the persons and properties of *zamindars, taluqdars and mahajans* in different parts of Bengal)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Rs. 100 (to condemn the failure of the police to prevent completely the evil of abduction of women in Bengal)."

Babu AMULYADHAN RAY: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Rs. 100 (legitimate grievances of the backward classes in matters of appointments, particularly of sub-inspectors of police with special reference to the Presidency Range)."

Maulvi NURAL ABSAR CHOUDHURY: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force—District Police' be reduced by Re. 1 (to discuss the police excesses in the country and to press for the immediate withdrawal of the punitive police and curfew orders from the *thanas* of Chittagong)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Re. 1 (to draw the attention of the Government to the fact that the claims of the candidates of the backward classes for the appointments as sub-inspectors, assistant sub-inspectors, head constables and constables have been ignored and to suggest that provision be made for definite number of these appointments annually from amongst the said candidates)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN BARKER: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Re. 1 (inadequate recruitment of the depressed classes to the department)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,32,96,700 under the head '26C—District Executive Force' be reduced by Re. 1 (to raise a discussion on the general inefficiency of the force)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 1,84,500 under the head '26D—Police Training School' be reduced by Re. 1 (disadvantages of the police officers belonging to the depressed classes in the matter of residence and cookaheds)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 3,68,800 under the head '26E—Special Police' be refused."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 3,68,800 under the head '26E—Special Police' be reduced by Rs. 2,00,000."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 3,68,800 under the head '26E—Special Police—Eastern Frontier Rifles (Bengal Battalion)' be reduced by Rs. 1,00,000."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 3,68,800 under the head '26E—Special Police' be reduced by Re. 1 (inadequate recruitment of the depressed classes to the department)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 7,56,500 under the head '26F—Railway Police' be refused."

Babu AMULYADHAN RAY: "That the demand of Rs. 7,56,500 under the head '26F—Railway Police' be reduced by Rs. 100 (non-representation of the backward classes in the matter of appointments in the Railway Police)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 4,04,625 under the head '26G—Criminal Investigation Department—Pay of establishment—Temporary Force' be refused."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 1,25,000 under the head '26G—Criminal Investigation Department—Secret Service Money' be reduced by Rs. 500 (necessity for the service and its work)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 12,57,800 under the head '26G—Criminal Investigation Department' be reduced by Rs. 10,00,000."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 12,57,800 under the head '26G—Criminal Investigation Department' be reduced by Rs. 2,57,000."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 12,57,800 under the head '26G—Criminal Investigation Department' be reduced by Rs. 1,000 (general policy with special reference to agent provocateurs, spies and informers and Bengal Criminal Law Amendment Act, 1930)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 12,57,800 under the head '26G—Criminal Investigation Department' be reduced by Rs. 1,000 (to discuss the unnecessary growth of expenditure and the methods of investigation)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 12,57,800 under the head '26G—Criminal Investigation Department' be reduced by Rs. 100 (inefficiency specially in not being able to prevent dacoities in the *mufassal*)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 12,57,800 under the head '26G—Criminal Investigation Department' be reduced by Re. 1 (inefficiency of the department in not being able to stop the smuggling and traffic in arms, especially in revolvers)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 12,57,800 under the head '26G—Criminal Investigation Department' be reduced by Re. 1 (to draw attention to the two cases of undetected murders on Grand Trunk Road, Howrah-Golabari and Bally)."

Maulvi ABUL KASEM: "That the demand of Rs. 2,03,95,000 under the head '26—Police' be reduced by Rs. 2,00,000."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 2,03,95,000 under the head '26—Police' be reduced by Rs. 1,00,000."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 2,03,95,000 under the head '26—Police' be reduced by Rs. 1,000 (to draw attention to the alarming increase in Police expenditure out of all proportion to the revenues of the Presidency)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 2,03,95,000 under the head '26—Police' be reduced by Rs. 100 (to raise a discussion on the desirability of effecting economy and retrenchment in the department)."

Babu HEM CHANDRA ROY CHOUDHURI: "That the demand of Rs. 2,03,95,000 under the head '26—Police' be reduced by Rs. 100 (to raise a discussion about the increase of non-political crimes)."

Mr. J. N. GUPTA: "That the demand of Rs. 2,03,95,000 under the head '26—Police' be reduced by Re. 1 (to raise a discussion on the necessity of reducing the disproportionately heavy cost of the administration of the Police on the lines of the retrenchment made in this department in the neighbouring area of the United Provinces)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 2,03,95,000 under the head '26—Police' be reduced by Re. 1 (to discuss the general policy)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 2,03,95,000 under the head '26—Police' be reduced by Re. 1 (to raise a discussion on the inefficiency of the department)."

27—Ports and Pilotage.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,08,000 be granted for expenditure under the head "27—Ports and Pilotage."

Rai KESHAB CHANDRA BANERJI Bahadur: Sir, I beg to move that the demand of Rs. 1,28,000 under the head "27A—Ports and Pilotage—Charges for pooled launches—Building repairs and outfit of launches" be reduced by Re. 1 (to call attention of Government to the necessity of training Indian apprentices in ship-building in the Government dockyard at Narayanganj).

My object in moving this motion is to call attention of Government to the necessity of training Indian apprentices in ship-building at the Government dockyard at Narayanganj. The question was discussed in the last March session of the Council on the motion of Maulvi Muhammad Fazlullah, and in the course of his speech he made out a strong case in favour of the unemployed young men. Sir, it is well known that the question of unemployment has become very acute at the present moment, and it has been repeatedly urged by the public that something should be done to solve this problem. In this connection, I beg to point out that in the Narayanganj Dockyard there are adequate

facilities for such training; and the young men who roam about without employment can be properly trained there so that when they complete their training, they may be able to get suitable employment in order to be able to maintain their families.

It is admitted on all hands that general education has failed to give adequate means of livelihood to the young men of this country. The terrorist movement in Bengal is due in a large measure to unemployment. The Government have hitherto excused themselves by saying that they cannot undertake big schemes for technical and industrial education now for want of funds. I may submit, Sir, that the proposal contained in my motion would not involve any extra expenditure on the part of the Government. I may even go so far as to suggest that a small fee may be realised from the apprentices so that the cost, if any, may be recovered from them. Mr. Blandy in replying to a similar motion last year said: "In the first place it is not correct to say that we have already built several crafts. As a matter of fact, we have not yet built one. There is, however, a certain amount of fairly important reconditioning and repair work going on at Narayanganj, and it is possible that this work might provide opportunities of valuable training for apprentices. That is one point which will have to be examined." Then he goes on to say: "Then there is the further question of expense. We do not know what it will cost to start such a class. However, as the idea has been put to us, Government will be glad to go into details and see if it will be possible from the financial point of view and also from the practical point of view, to start a class where they will be able to impart adequate instruction to apprentices with the means at their disposal." On the assurance given by Mr. Blandy, the mover withdrew that motion and I am not aware what inquiries have been made and with what result. We are not in possession of any facts whether any scheme has been undertaken to give effect to the suggestion contained in the motion of last year. I would not like to withdraw my motion on mere assurances of the Hon'ble Member. We want something tangible, something definite and hope, that in view of the urgency and importance of the case, it will be considered in all seriousness. With these few words, I commend my motion to the acceptance of the House.

Mr. ANANDA MOHAN PODDAR: Sir, last year a similar motion was brought forward by Maulvi Muhammad Fazlullah. Mr. E. N. Blandy on behalf of the Government in reply was very sympathetic and gave an assurance to the House that the matter will receive their best consideration. But I do not know what steps the Government has taken to give effect to it; as yet, I am sure, no apprentices have been taken in the Government dockyard at Narayanganj. Sir, so far as I know, it is a very good field for imparting practical training to our young men in this most useful industry. The

Government dockyard at Narayanganj is a well-equipped workshop on the eastern bank of the river Sitallakhya and a good number of Government and police steam-launches are repaired and remodelled there. Our young men at present get no opportunity in entering this particular branch of useful industry and it is of importance that the Government should extend its helping hand to train our young men. The unemployment problem is very acute at present in our country—if our young men are trained up in this new career, that knoty problem can then be solved to some extent. It is not a very big scheme or such an undertaking as may entangle the Government to great financial or practical difficulties. To my mind it is such a simple question as may be taken up without the least hesitation. It is only that the Government should utilize the existing facilities it has at its disposal, and give our young men the opportunity to be trained up in this particular branch of technical education. We do not want that the apprentices should be paid from the very beginning; but it is not improbable that if facilities are given, they will avail of it in very large numbers. So my request is that the Government should not make any further delay in giving effect to this very simple request.

With these words I support the motion now before the House.

The following motion was called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,28,000 under the head '27A—Ports and pilotage—Charges for pooled launches—Buildings, repairs and outfit of launches' be reduced by Re. 1 (to draw attention to the necessity of training Bengalee apprentices in ship-building in the Government dockyard at Narayanganj)."

The Hon'ble Mr. A. MARR: Sir, it is already well known that it is impossible to afford facilities for training apprentices at the Narayanganj Dockyard. At that dockyard it is impossible to give facilities for training in ship-building. We have never built a ship there, not even a launch; so we cannot train apprentices in the strict sense of the word in that dockyard. There only repair work and reconditioning work are done. We have a number of apprentice-boys there—quite a number of them. These boys learn to be cleaners and fitters and take up *mistris'* work. This system obtains in other dockyards as well and also in railway locomotive sheds. Under the present conditions we cannot train regular apprentices in a dockyard like this. If we were to offer to train regular apprentices, we would have to make proper arrangements which would cost money; as regards these apprentice-boys whom we are employing, these boys ultimately learn to be mechanic-*mistris*. I can assure the member that this will not necessarily end the matter. Government will continue to watch whether things can be improved.

At present with the facilities at our command, we cannot give any training in ship-building. Therefore, I would ask the mover to withdraw the motion on the understanding that Government will continue to examine the question.

The motion of Rai Keshab Chandra Banerji Bahadur was then put and lost.

6 p.m.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 4,08,000 under the head "27—Ports and pilotage" be reduced by Rs. 1,000 (to urge the Government of Bengal to move the Government of India to intervene in the rate-war between coastal steamship and inland steamship companies).

Sir, the object of my motion is to urge the Government of Bengal to move the Government of India to intervene in the rate-war between coastal steamship companies and between inland steamship companies. Sir, the shipping industry in this country, financed and managed by the children of the soil, is of very recent growth. It had so long been the monopoly of big European companies. They had huge capital at their back, but the Indian companies are not rich enough to compete in case the rate-war is not stopped either by executive order or by legislation. The European companies can afford the luxury of reducing the rates or carry goods and passengers free of charge for a good length of time with a view to kill this present Indian industry. Once they are able to get rid of competitors, it would be easier for them to raise their rates and thereby make good the losses sustained by them. It reminded me of an interesting story of a rate-war between Messrs. Hoare Miller & Co. and Babu Harimohan Roy, a grandson of Raja Ram Mohan Roy, in the nineties of the last century. In those days a regular steamer service used to be run by Messrs. Hoare Miller & Co. between Calcutta and Kalna. As soon as Babu Harimohan Roy launched his steamship for carrying goods and passengers, the former company reduced their fare considerably, but that did not deter Babu Harimohan Roy in carrying on the business. The company began to give free trips when Harimohan Babu not only gave free trips but arranged free launcheons for the passengers. However, after some time, Harimohan Babu had to yield and his steamer finally became the property of Messrs. Hoare Miller & Co. The rate-war is bound to ruin Indian-owned steamship companies. I should, therefore, like to ask the Bengal Government to move the Government of India and see that the rate-war is stopped for all time to come.

The following motions were called but not moved:—

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 4,08,000 under the head '27—Ports and pilotage' be

reduced by Rs. 101 (to request the Local Government to point out to the Government of India to take steps in the event of a rate-war existing between the India General Steam Navigation and Railway Company and the Rivers Steam Navigation Company on the one hand and the Indian companies on the other, specially in the Dacca division)."

Maulvi NURAL ABSAR CHOUDHURY: "That the demand of Rs. 4,08,000 under the head '27—Ports and pilotage' be reduced by Rs. 101 (to urge upon the Government to point out to the Government of India to intervene in the present rate-war between the coastal steamship companies running between the Chittagong port and other places)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 4,08,000 under the head '27—Ports and pilotage' be reduced by Rs. 100 (to protest against the inadequate and narrow latrines, inadequate lights, water difficulties, want of separate latrine arrangement of inter and third class female passengers, supply of unwholesome food and other inconveniences of the passengers on inland vessels)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 4,08,000 under the head '27—Ports and pilotage' be reduced by Rs. 100 (to protest against the inadequate and narrow latrines, inadequate lights, water difficulties and specially the conduct of the butlers with regard to supply of food to inter and third class passengers in Narayanganj, Chandpur and Goalundo lines)."

The Hon'ble Mr. A. MARR: Sir, I should like to point out again that this is a matter which is not the concern of the Local Government at all. In the first place, as regards the motion which has been moved, *viz.*, No. 773, I may say that I do not know the existence of any rate-war whatsoever between the coastal steamship and inland steamship companies and that if such a rate-war exists, I cannot see how this motion can remove it. Even if such a rate-war exists, I maintain that it is not the concern of the Local Government at all. The coastal steamship companies come under the Indian Merchant Shipping Act which is altogether under the Government of India. Then, as regards inland steamship companies, if there had been such a rate-war, then section 54A of the Inland Steam Vessels Act of 1917 would have applied. That section runs as follows:—

"The Governor-General in Council may, by notification in the *Gazette of India*, after such inquiry as he may consider necessary, in respect of any system of inland waterways, or of any stretch of inland

waterway, or of the run between any two stations on an inland waterway,—

(a) fix the maximum or minimum rate per mile which may be charged for passenger fares for passengers of any class travelling on inland steam-vessels;

(b) fix the maximum rate per mile which may be charged for freight on goods of any description carried in inland steam-vessels;

(c) fix the minimum rate per mile which may be charged for freight on goods of any description carried in inland steam-vessels; and

(d) declare what shall be deemed to be the distance between any two stations on an inland waterway for the purpose of calculating passengers' fares or freight on goods where maximum or minimum rates have been fixed under this section."

Then, the section goes on to lay down certain conditions which the Governor-General in Council has to follow, but I should like to repeat again the expression "The Governor-General may by notification in the *Gazette of India*, etc."; the Local Government have no power whatsoever in the matter.

As regards coastal steamer companies, the power rests with the Governor-General in Council altogether under the Merchant Shipping Act. Therefore, Sir, even if this rate-war had existed, it would not have been the concern of the Local Government; it would have been the concern of the Government of India. As I have already said, if no such rate-war exists, I cannot see how this motion can be brought.

The motion of Munindra Deb Rai Mahasai was then put and lost.

The following motion was called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 4,08,000 under the head '27—Ports and pilotage' be reduced by Re. 1 (to stop rate-cuttings by the coastal steam navigation companies against coastal steam and motor launch services in Bengal, specially in Akyab, Rangoon and Chittagong lines)."

Rai KESHAB CHANDRA BANERJI Bahadur: Sir, I beg to move that the demand of Rs. 4,08,000 under the head "27—Ports and pilotage" be reduced by Re. 1.

The subject matter of this motion is a very simple one. My object is to draw the attention of Government to the necessity of asking the India General Steam Navigation Company, Ltd., and the River Steam Navigation Company, Ltd., to provide latrines for Intermediate

class male and female passengers adjoining their respective cabins. In the course of the last two years, four or five new vessels have been put on the service by the steamer companies, and the only improvement that has been effected is the provision of latrines on the upper deck for female passengers only, but that does not serve the purpose of this motion. I want the company to provide latrines close to the cabins, so that passengers, particularly the female passengers, may not have to walk some distance through the crowded deck, in going to the latrines. The present arrangements are highly inconvenient for *purdanashin* ladies. I hope, therefore, the Hon'ble Member in charge of the department will kindly take a sympathetic view of this matter——

[Here the time-limit for the discussion of the demand under the head "27—Ports and Pilotage" was reached.]

The motion of Rai Keshab Chandra Banerji Bahadur was then put and lost.

The motion that a sum of Rs. 4,08,000 be granted for expenditure under the head "27—Ports and Pilotage" was then put and agreed to.

The following motions under the head "27—Ports and pilotage" were not called owing to the expiry of the time-limit:—

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 4,08,000 under the head '27—Ports and Pilotage (Reserved)' be reduced by Re. 1 (to draw the attention of the Government to the fact that the number of Bengalis employed in this department is quite insufficient)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 4,08,000 under the head '27—Ports and Pilotage' be reduced by Re. 1 (to draw attention to the necessity of permitting inter and third class female passengers to enter steamer by first and second class passages or to provide separate passages convenient to them)."

30—Scientific Departments.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 25,000 be granted for expenditure under the head "30—Scientific Departments."

Mr. SARAT KUMAR ROY: Sir, I beg to move that the demand of Rs. 5,520 under the head "30A—Donations to scientific societies—Grants-in-aid, contribution and donations to other societies" be reduced by Re. 1 (to raise a discussion on the reduction of grant to the Varendra Research Society).

Sir, the Government of Bengal made a grant of Rs. 100 a month in 1917 (with effect from April, 1916) for the maintenance of the Rajshahi Archæological Museum founded by the Varendra Research Society of Rajshahi. In 1924 the Government of Bengal (Ministry of Education) sanctioned an additional grant of Rs. 250 a month for three years with effect from 1st September, 1924, to the Varendra Research Society of Rajshahi to meet the charge on account of the appointment of a curator for the museum in their letter No. 1918-Misc., Government of Bengal, Education Department, Miscellaneous Branch, dated the 3rd September, 1924. While sanctioning the additional grant, the Government imposed the following conditions:—

"It should be clearly understood that the grant is made specially in recognition of the assistance given to the society by Kumar Sarat Kumar Roy and that it cannot be continued either in whole or in part unless local assistance is given."

When the grant was made, the society appointed Mr. Nani Gopal Majumdar, a young archæologist who had already made his name, as the curator of the museum. As, however, local assistance contemplated by the Government was not forthcoming, provision was not made in the budget in 1927-28 for grant beyond August, 1927. So Mr. Nani Gopal Majumdar resigned the curatorship and secured the appointment of an Assistant Superintendent of the Archæological Survey and is at present officiating as the Superintendent of the Archæological Section of the Indian Museum. The Government of Bengal, however, was pleased subsequently to make a fresh grant of Rs. 150 a month to meet the charge on account of the curator of the museum with effect from 1st April, 1928. Babu Nirodbandhu Sanyal, a promising young archæologist, has since then been working as the curator. But this year the grant has been reduced by 20 *per cent.*; so the curator's salary has been further reduced to Rs. 120, too low a salary for a qualified archæologist.

But it is not enough to have a curator; there should be appointed a marksman to write suitable labels of the specimens and there should also be adequate provision of funds for acquiring and purchasing antiquities, procuring plaster castes of typical specimens and for photography. The collection deposited in the museum has already outgrown the accommodation available for exhibition. It is, therefore, necessary to add another wing to the building for displaying specimens properly. Money is also wanted to provide suitable show-cases for the exhibition of smaller antiquities and also for developing the library.

The amount contributed by the members of the society as subscription is hardly sufficient to meet the cost of publication of annual reports and monographs. Long experience has taught us that we cannot expect more revenue from that source. So, unless the Government comes to the rescue of this institution by provincialising the post of the curator

and by making annual grants under separate heads mentioned above, the institution will stagnate and cease to be useful. The Director-General of Archæology in India, who visited the museum in December last, has made these remarks in the visitors' book: "The society deserves every encouragement and support from all lovers of art, history and archæology. . . . But obviously more funds are urgently needed if the society is to continue its useful activities and I strongly recommend this interesting institution te all who can help it."

Sir, after the Archæological Section of the Indian Museum, for the maintenance of which the Government of Bengal do not contribute anything, the Rajshahi Archæological Museum is the most important archæological museum in the Presidency and, therefore, full and adequate support of the State may be reasonably expected for its proper maintenance and development.

With these words I commend my motion to the acceptance of the House.

Rai KESHAB CHANDRA BANERJI Bahadur: Sir, I fully support the motion which has been moved by Mr. Sarat Kumar Roy. It is well known that the Varendra Research Society has got a museum at Rajshahi which has proved to be of great educative value. The society is the result of the assiduous labour and munificence of its promoters, and as such it is not the proper place to apply the retrenchment axe. I would ask the Hon'ble Member either to restore the grant or to reduce the percentage of reduction so that the society may carry on without difficulty.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, I rise to oppose this motion. Mr. Sarat Kumar Roy, the mover of this motion, is well-known for his liberality to Art and learning and he takes a keen interest in the Varendra Research Society and contributes towards its maintenance. We have been compelled to make this reduction not only in the case of this institution, but of similar institutions—some of them are more deserving. I may just name some of the them—the Refuge Home of Calcutta, which I consider to be one of the most deserving, the Imperial Library grant. We have cut the grants to these institutions by 20 *per cent*. In regard to all these, we have been compelled to make percentage cuts, as we felt that if Government are reducing expenditure and making drastic reductions in every direction, there is no reason why these societies and institutions should not be retrenched in a similar manner.

6-15 p.m.

Therefore, all these grants have been reduced. I think if Government have been able to reduce its expenditure, and have made drastic

reductions, there is no reason why these societies and associations should not retrench their expenditure in a similar manner. The speech of the member shows that they have been carrying out improvments and additions to the building. I submit that the present is not the time for these improvements. We have got to make reductions just to keep up our existence, so that when the situation improves, we will take up the question of improvements. Therefore, it is with very great regret that I have to oppose this motion. I hope the member will realise that it is a temporary cut and not a permanent one. In certain other departments a large number of posts have been completely abolished; after all, we have to adapt ourselves to the present financial condition and rest content with what we have for a year or two, and when things improve, we will do our best for the improvement of these institutions.

With these words, I oppose the motion.

The motion of Mr. Sarat Kumar Roy was then put and lost.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 25,000 under the head "30—Scientific departments" be reduced by Rs. 101 (to criticise the reduction of grant to certain scientific societies).

The object of this motion is to draw attention to the undesirability of reducing grants to some of the most useful institutions in the province. The Asiatic Society of Bengal is one of the victims of retrenchment. Bengal is proud of the achievements of the Asiatic Society. The grants which it used to get from Government were already too moderate. Any reduction therefrom was ill-advised. The saving of Rs. 3,000 *per annum* at the cost of the intellect of the nation was most undesirable. I should, therefore, like to ask the Hon'ble Education Minister to restore the grant, even from his own pocket as a donation, if funds were not available and earn our heartfelt gratitude.

Another useful institution of the province, the Varendra Research Society, is also a victim of retrenchment. This society has made a name and fame for itself since its foundation a few years ago by archæological and other scientific researches. A reduction of Rs. 600 *per annum* would impair its usefulness, but to Government it was quite an insignificant amount to be taken notice of. This I would call false economy. Pray do not starve such a useful institution. Restore it by all means. With these few words, I commend my motion to the acceptance of the House.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The question is not of Rs. 500 or Rs. 600 but———

[Here the time-limit for the discussion of the demand under the head "30—Scientific departments" was reached, and the Hon'ble Minister resumed his seat.]

The motion of Munindra Deb Rai Mahasai was then put and lost.

The motion that a sum of Rs. 25,000 be granted for expenditure under the head "30—Scientific departments" was then put and agreed to.

[At 6-30 p.m. the Council was adjourned for prayer and it reassembled at 6-40 p.m.]

31—Education (Reserved).

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 10,61,000 be granted for expenditure under the head "31—Education (Reserved)."

Mr. W. C. WORDSWORTH: I beg to move that the demand of Rs. 2,86,000 under the head "31A—Education (Reserved)—Government secondary schools—European and Anglo-Indian education" be reduced by Re. 1 (to ask for information about the future of the two Government European schools at Kurseong).

Sir, we are given every year 15 minutes for the complexities of education on the reserved side which includes much more than the education of Europeans. But those who are interested in the work have at least the satisfaction of knowing that this is half as long again as the 10 minutes with which the Council disposes of the whole realm of science, as we have just done. I have been asked to put down this motion by several members of the domiciled European and Anglo-Indian community who are alarmed by various rumours that are floating about, and I hope that Government will be able to allay their alarm. These rumours are as diverse as they are numerous, and there will be no advantage in my dealing with them in detail. They are alike only in one respect, that they all say, all suspect, that Government owing to the stress of time is about to diminish or restrict the facilities for education now offered at the two schools at Kurseong to poorer children of these communities. These two schools, a boarding school for boys and a boarding school for girls, are the only Government schools for Europeans in this province. Everything else Government allows to be done by private voluntary agencies assisted by grants, and there is a very great fear that the present poorly paid Europeans, particularly those in Government service, who already are suffering terribly owing to the economic depression, will have such poor advantages in life as

they possess considerably cut down because Government, driven by necessity, is retrenching in nearly every branch. At present there are many parents who by these schools, and these schools alone, have a chance of getting their children reasonably educated in a reasonably good climate, at a cost which is reasonable in relation to their salaries. It would be a tremendous calamity, especially at a time like this when the community has had to face the whole shock of the economic depression, if anything precious like these educational facilities were cut down or restricted. And I may observe that this poor community has very little else that Government or anybody else could take away from them.

There are some motions under this same head which suggest that there are members of this Council who believe that Government grants under this head are for such Europeans as they meet in this Council, or in the superior ranks of Government service. I can assure them at once that we are not guilty. We do not take the money of the taxpayer of Bengal for the education of our children. Our children are educated in England, and in view of certian motions which are down on the paper under the head of Education (transferred) complaining about the cost of education in Government schools I may remark that no one who has not seen the school bills of an English public school, really knows what a school bill is. These grants are attacked over and over again, and I see they are likely to be attacked once more, as "large grants." I may observe, therefore, that reserved education includes not only the education of all Europeans in the province, but also all education in the Chittagong Hill Tracts and the Darjeeling district. It includes the education of all Indian children in European schools, and they are very many, and are rapidly increasing because European schools are very much in favour with the Indian community. It includes provision for a reformatory school and various other things. The heading is a composite one, and whatever your feeling may be, it is only fair to remember that European schools do not receive all this provision, and do not use on European pupils all that they receive. The assistance given to European schools in the form of grants, which is never large, never large enough, has been considerably cut down this year, and that is why there is this alarm in the community lest Government should intend, as rumour says, to cut down what it has hitherto offered to its own schools. We do know that the community is fortunate, it is almost its only piece of good fortune, in that the religious Teaching Orders provide very many of these schools in Bengal, and very many of the teachers. But for them there would hardly be any education for the poorer children of the European community. I have not the figures, but I make a guess on the spur of the moment that the Christian Orders of the Church of England, the Church of Rome, the Non-conformist bodies, and one or two American Mission agencies,

between them give Bengal more than two dozen schools and I should say about 150 teachers, who serve the community not for pay,—most of them have none,—not for any professional advancement—which means nothing at all to them—but because of the splendid mediæval traditions which endure in the Church that the care of the young, the fitting them for life, is the service of God. If it were not for that belief, we should have very little European education in this province or anywhere else in India. In offering this small tribute to noble men and women on behalf of those whom they so devotedly serve, I would ask Government for a direct answer—I hope it will be an assuring answer—to this question. Is it true that changes are contemplated in the organisation of the two Government schools at Kurseong that will considerably diminish the opportunities of education now enjoyed by the children of the poorer European and Anglo-Indian communities?

6-45 p.m.

The Hon'ble Mr. A. MARR: I am afraid, Sir, I shall have very little time to explain the position. It was at the instance of the authorities of certain aided schools, church schools, that this proposal was first made, namely, that the rules of admission should be modified. The reason put forward was that, unless Government thought fit to sanction these modifications, these schools on account of their financial distress would have to close down. This was a very serious matter for Calcutta and the whole of Bengal so far as European education was concerned. I may say at once that I was not enamoured of the idea, but Government agreed to the proposal as a provisional measure on condition that, if it does not succeed, Government will have power to revert to the former position. I can, however, assure Mr. Wordsworth and all members of this House that these modified rules and conditions do not apply to the two schools at Kurseong,—the one for boys and the other for girls, and I may say further that they were never intended to apply, and as I have said, I do not think that they will ever be made to apply to these schools. It is true that on financial grounds Government have agreed for the time being to introduce these new rules in such schools at St. Paul's, St. James', the Loretto Schools, etc. What I should like very much to do is to endorse what has fallen from Mr. Wordsworth's lips as regards the work of these church schools and their teachers many of whom are unpaid. It is well known what they have done towards the education of European and Anglo-Indian youth. If these schools had to close down and if these teachers of the different churches, Churches of Rome, England, Scotland, the American Baptist Mission and many others, were withdrawn, there would be a great calamity for European education in Calcutta and in Bengal.

The motion of Mr. W. C. Wordsworth was then, by leave of the Council, withdrawn.

The following motion was called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 2,28,500 under the head '31A—Education (Reserved)—Secondary—Direct grants to non-Government secondary schools' be reduced by Rs. 500 (to raise a discussion on the general policy and unjust and inequitable grant)."

The motion that a sum of Rs. 10,61,000 be granted for expenditure under the head "31—Education (Reserved)" was then put and agreed to.

The following motions under the head "31—Education (Reserved)" were not called owing to the expiry of the time-limit:—

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 3,66,500 under the head '31B—Education (Reserved)—Direct grants to non-Government primary schools' be reduced by Rs. 1,000 (general policy, unjust and inequitable grant for European and Anglo-Indian education)."

Rai Dr. HARIDHAN DUTT Bahadur: "That the demand of Rs. 49,000 under the head '31—Education (Reserved)—Special—Reformatory and Industrial School' be reduced by Rs. 10 (to discuss possibility of amalgamation of the school with Detention House and Juvenile Court)."

31—Education (Transferred).

The Hon'ble Mr. KHWAJA NAZIMUDDIN: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,07,79,000 be granted for expenditure under the head "31—Education (Transferred)."

The amount for which I am asking is over Rs. 7,50,000 less than the expenditure of 1930-31; the Council cannot, therefore, expect to find in the budget for next year any new schemes or fresh developments. Like other departments, we have had to cut down expenditure and our main concern has perforce been to see how we could effect the necessary retrenchment with the least damage to the essential activities of the department. But, although for this reason, the figures indicate no outstanding departure of policy or advance in achievement, I can claim that we are using this period of enforced quiescence for laying the foundations for improvement and expansion, as soon as the economic condition of the province permits.

I must refer to one matter which has been satisfactorily settled since I last asked for a grant, namely, the longstanding question of Government's financial assistance to the University of Calcutta. In the

past, the University has been handicapped owing to the uncertainty as to the amount of help which it might expect to receive from Government. They have themselves long recognised that reforms were overdue, but they have been prevented by this uncertainty from taking them up. The University Organisation Committee appointed in 1928 reviewed the whole position and submitted a valuable report, which was considered by the Senate and finally formed the subject of correspondence and consultation between the University and the Government. The proposals and suggestions made by the Organisation Committee have been practically accepted in full by the Government who considered that the introduction of the reforms suggested by the Organisation Committee will remove most of the criticisms levelled against the University. The members of the Organisation Committee worked very hard for a very long period and thanks of the Government and the public are due to them for all the trouble they took and for the excellent report they submitted. Dr. Urquhart, the President of the Organisation Committee, and the two Secretaries, Mr. Syamaprosad Mookerjee and Dr. Ganendranath Mukherjea, deserve our special thanks for the tactful way in which they managed to reconcile the differences among the members of the committee, and got them to submit a fairly unanimous report. The amount necessary to enable the University to give effect to the essential parts of the reorganisation was very carefully considered in relation to their existing assets and commitments, and a conference was held at Darjeeling last year to thrash the whole matter out. The conference dealt with hard facts, regarding which there was a very large measure of agreement and the negotiations throughout were conducted in the most friendly and helpful spirit. Each side appeared to be anxious to arrive at a fair and lasting settlement and I am happy to say that we were able to promise a definite sum to the University (subject of course to the vote of this House) and to relieve them of the anxiety, which uncertainty of the future must always engender. Financial considerations prevent Government from giving the full amount of the assistance, which the complete scheme of reorganisation would involve, but enough has been provided to permit of the initiation of the most essential reforms.

This result is beneficial not only to the University but also, I think, to the Government who now know their liabilities towards the Calcutta University and have the satisfaction of feeling that the amount decided upon has a definite, mathematical basis.

I think the House will agree that the happy termination of this long and difficult question represents a definite achievement of the past year.

I want to take this opportunity to inform the House that Government very much appreciate the help they have received from the

members of the Calcutta University Deputation which went to Darjeeling. Particularly I would like to mention the names of Sir Hassan Suhrawardy, the Vice-Chancellor, and Mr. Syamaprosad Mookerjee. It is largely due to the influence and labours of these two gentlemen that it has been possible to arrive at a satisfactory settlement.

Although some of the grants have been reduced, I am glad to inform the House that no reduction has been made in the grant for primary education. I find that a very large number of motions under the head "Primary education" are on the agenda to express disapproval and disappointment of the members of the Council at the delay in the enforcement of the Primary Education Act. Sir, I can claim without fear of contradiction that no one is more sorry than myself for this delay, but I hope the House will realise the difficult position of the Government. At the time when the Act was passed, it was hoped that within a year of the enforcement of the Act the cess will be imposed and it will be possible to give effect to all the sections of the Act. But owing to the very serious economic distress in the country, Government feel that it is impossible to enforce the Act on the assumption that within a year cess will be imposed. It has been contended by some of the members in the supplementary questions that were put on this subject that the masses are prepared to pay the cess in spite of the economic distress. It is within my personal knowledge that the masses are so keen on the enforcement of the Primary Education Act that whenever they are consulted they declare that they are fully prepared to pay the cess when imposed, but Government cannot ignore the facts as they are at present. From all sides in this very House it has been represented that the economic distress in the country is so great that the tenants are unable to pay the rents and the *zamindars* have to borrow money to pay the land revenue. We have received letters from most of the district boards in which they have drawn our attention to the fact that owing to the non-realisation of cess, the income of the district boards has been considerably reduced and most of the district boards are cutting their expenditure on primary education. If the tenants and the *zamindars* are finding it difficult to pay the existing cess, how is it possible for them to pay the additional educational cess? Therefore; it is obvious that it will be absolutely futile to introduce the Act at the present time as it will not be possible to impose the cess in the near future. Although we are unable to introduce the Act in full, yet we are making every attempt to take steps which will make it possible to enforce the Act as soon as the conditions are favourable. With this end in view, Government have written to all the district boards asking them to agree to the scheme which will enable the Government to enforce some of the provisions of the Act. I will briefly give the main features of the Government proposal.

7 p.m.

The district boards are at present spending a certain amount of money from their own funds on primary education. Government have asked them to hand over this amount to the district school boards which will be established under the Act. The district boards will, in any case, have to spend the money on primary education, whether they hand it over to district school boards or not. By agreeing to the proposal of Government, they will not have to incur any additional expenditure. Government will also hand over to the district school boards the amount of money which they are at present spending on rural primary education. The district school boards will maintain the existing primary schools and frame schemes for the extension and location of the primary schools in the districts when the cess is imposed. The question naturally arises what immediate advantage is there in this proposal. The reply is that some of the provisions of the Primary Education Act will be enforced. Secondly, it will be possible for the district school boards to take up the preliminary spade-work and have a detailed scheme ready for the time when the Act can be brought into full operation. It will also be possible for the district school boards to start new schools whenever it is possible to do so with the funds at their disposal. They can also amalgamate the existing schools in the same localities and have one or two good improved schools in their stead and the saving thus effected can be utilised for the extension of new schools in other areas. I want to make it quite clear to the House and to the public at large that the Government proposal does not mean immediate imposition of the education cess which will only be imposed when the economic condition of the people is so improved as to enable them to bear the additional taxation. Government's proposal does not mean that there will be an immediate extension of primary education, but our proposals will convince the public at large that Government are fully conscious of their responsibility and commitments under the Act and they will take every opportunity to remove the curse of illiteracy from Bengal as soon as possible.

With these words, I move the demand.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 4,88,256 under the head "31A—Education (Transferred)—University—Grant to the Calcutta University" be reduced by Rs. 100 (to draw attention to the administration of the University and the necessity of amending the Calcutta University Act).

I want to draw the attention of Government and of this House to the administration of the Calcutta University. This question was raised before the House last year also and there was a prolonged debate

over it. Unfortunately that debate took a communal turn which none of us approved in our hearts and I only hope that this year too, although some communal question cannot but be raised, the debate will not take a similar turn. So far as the University is concerned, we can fairly say that it is one of the institutions in the country where we may say we have got perfect self-government or *Swaraj;* and as such it is only desirable that the administration of an institution like this should be such that all communities and all sections of the community should have full and perfect confidence in it, so that no community may feel that it is at a disadvantage so far as the University is concerned. Year after year it has been pressed on the attention of the Government that the present Calcutta University Act requires revision and modification; this question does not seem to be seriously disputed by anybody, yet for reasons best known to Government no step or no practical step has hitherto been taken. So far as the Muhammadan community is concerned, I claim that on the various bodies of the University the Muhammadans should be better represented than they are at present. I do not say, Sir, that Muhammadan cultivators should be placed on the Syndicate or on the Senate, but if there are educated and competent Muhammadans available, is it not desirable that there should be a scope for their entry into the various bodies of the University? Of course I do not blame the present administration so far as the University is concerned. If things are to be judged on their merits, then probably the University has been right in going on in the way it has been going on, but unless all the important communities in the country are represented on the University, then I submit that the University itself is in that respect defective. It is highly desirable to my mind that all communities ought to be represented in it, due regard being paid of course to the needs of efficiency. If efficient Muhammadans are not available, then we do not claim that Muhammadans should be placed on any of the bodies of the University, but I ask if such are available, why should they not get the scope to get in? Only a few days ago we heard that Dr. Quadriati Khuda, who is now Professor of Chemistry at the Presidency College and who is a distinguished scientist, having taken his D.Sc. from a European University, was a candidate for election to the Faculty of Science, but he was unfortunately defeated. Probably he was defeated by a more competent candidate; we may not dispute that, but the thing is that if a man of his qualifications has no chance of getting in under the present circumstances, then it is highly desirable that the constitution should be so changed that men like him may get in. If the only criterion is academic qualification, then, of course, I shall have to admit that it will be very difficult for the Muhammadans to get in, for the simple reason that Muhammadans took to Western education about 50 years

after their Hindu brethren did so. Therefore, it is naturally difficult for them to stand equal to their Hindu brethren in open competitions. Unless the Muhammadans make up the lost ground, it will be unfair to leave them to the uncertainty of an open competition. My question is whether our Hindu brethren will agree to the principle that, provided competent Muhammadans are available, the only criterion should not be the possession of the highest academic degrees, and that some consideration should be given to the fact that in view of the paucity of Muslim representation in the University, there should be provision for an appreciable representation of the community.

Now, Sir, if there is no change in the constitution of the University, if there is no statutory provision for this under the present circumstances, it will not be at all possible to secure this end in any other way. It is, therefore, high time that Government should seriously consider the matter and our Hindu brethren also should consider whether they cannot accede to the demand of the Muhammadan community in this matter.

It was complained last year that Muhammadans have made very little contribution to the cause of education in this province and, therefore, as a matter of right they are not perhaps entitled to what they claim. I submit, Sir, that this complaint is true and it is an unfortunate fact of which we, Muhammadans, are ashamed. But as I have already explained, the reason, therefore, is that this apathy lies in the fact that Muhammadans did not take to Western education as early as our Hindu brethren did so. It must be remembered also that the University, as it is at present, does not inspire that confidence in the Muslim community which it would otherwise have. Had they been shoulder to shoulder with their Hindu brethren in respect of education and enlightenment and had the University been an institution representative of all communities, surely they would have come forward with larger contributions to the funds of the University.

There is also another consideration. It is a fact that the Muhammadans as a community in Bengal, are much poorer than any other community and some reason for this poverty is to be found in the fact that they belong to a democratic religion under which the tendency of hoarding wealth is not encouraged. That is one of the reasons why they are poor, compared with the members of other communities. That being so, we cannot expect that when the amount of contribution to the University is considered, they should be found equal in that respect to the other communities. But it must not be forgotten that the real producers of the wealth of this province, *viz.*, the agriculturists, belong mostly to the Muslim community and whatever money may have come to the University through other hands was in reality their contribution.

Now the question is whether, if we take the University as one of the ideal institutions that it claims to be, our Hindu brethren will be prepared to give the Moslems proper scope for representation on it. Sir, to show an analogy, one of the stock arguments against the present policy of the British Government is that repression is no real remedy to cure the terroristic or the civil disobedience movement and that the real remedy is to remove the cause of discontent. Are you prepared to apply the same argument against yourselves? Had you been placed in the position of the British Government, probably you too would have followed the same policy and said the same thing because in the case of the University you do actually say the same thing. The whole Muhammadan community is bringing forward a particular demand, but you are putting it off on this plea or that and doing nothing towards the removal of the discontent. You say to the Muslims exactly what the British Government and the British people say in answer to your demands for various concessions. I would, therefore, respectfully ask my friends to consider this seriously and not to raise any objection to the just and reasonable demands of the Moslem community.

Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 29th March, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 29th March, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 114 nominated and elected members.

Oath or affirmation.

The following member made an affirmation of his allegiance to the Crown :—

Mr. Giris Chandra Sen.

Message of thanks from His Excellency the Governor.

Mr. PRESIDENT: Gentlemen of the Council, Sir Stanley Jackson has left Bengal, but he did not go without leaving behind a message for you. He has sent a letter to me in which he has asked me to tell you that the Hon'ble Lady Jackson and he are deeply touched by your farewell message and that they both wish to convey to you their grateful thanks for your expression of goodwill for their future.

Starred Questions

(to which oral answers were given).

Bengal Tenancy Act.

***171. Maulvi AZIZUR RAHMAN:** (*a*) Has the attention of the Hon'ble Member in charge of the Revenue Department been drawn to cases wherein the landlords have accepted their transfer fees but have not agreed to the division of holding or to the distribution of rent payable in respect thereof under section 88 of the Bengal Tenancy Act?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, Government contemplate taking to rectify the defects in the Bengal Tenancy Act, 1885?

(*c*) If no such cases have been reported to the Hon'ble Member, are the Government considering the desirability of inquiring into the matter?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) No.

(*b*) Does not arise.

(*c*) No.

Alleged assault of some prisoners in Midnapore Central Jail.

***172. Mr. SHANTI SHEKHARESWAR RAY:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether Ambica Charan Chakravarty of Chittagong Armoury Raid case, Birendra Ray, a State yard prisoner, Gopal Acharji of Atharabari Mail Dacoity case, Nemai Mukherji of Bankura, Kalipado Samanto of Daspur Murder case along with several civil disobedience prisoners and Emergency Ordinance prisoners were recently assaulted by the warders in the Midnapore Central Jail?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state under what circumstances these prisoners were beaten?

(*c*) Is the Hon'ble Member aware of the tensity of feeling that these incidents have created among the prisoners in the jail?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) No.

(*b*) and (*c*) Do not arise.

School Hygiene work.

***173. Maulvi TAMIZUDDIN KHAN:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing—

(*i*) the present number of superior officers for school hygiene work under the Government of Bengal;

(*ii*) the salary and allowances drawn by each; and

(*iii*) the nature of the duties each has to perform?

(*b*) (*i*) Have any of them actually visited any educational institutions during the current year (1931-32)?

(*ii*) If so, on what dates?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) the present number of junior school medical inspectors for Calcutta;

(*ii*) their qualifications;

(*iii*) their remunerations;

(*iv*) the number of schools and students under each; and

(*v*) the furthest distance of the schools from the office?

(*d*) Will the Hon'ble Minister be pleased to state whether any travelling allowances are given to school medical inspectors for Calcutta?

(*e*) Have the Government any scheme for the improvement of the conditions of service of these junior school medical inspectors?

(*f*) If the answer to (*e*) is in the affirmative, what is the scheme, and when is it likely to be given effect to?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) (*b*) and (*c*) A statement giving these particulars is laid on the table.

(*d*) No.

(*e*) No further expenditure on this service is contemplated at present.

(*f*) Does not arise.

Statement referred to in the answer to clauses (a), (b) and (c) of starred question No. 173.

I

(*a*) (*i*) Two.

(*ii*) Assistant Director of Public Health, School Hygiene—

Present pay—Rs. 1,066-11.

Conveyance allowance—Rs. 28.

House allowance—Rs. 125.

Total—Rs. 1,219-11.

Medical Inspector of Schools—

Present pay—Rs. 325.

Conveyance allowance—Rs. 28.

Total—Rs. 353.

(*iii*) The Assistant Director of Public Health is in charge of the general administration and organisation work of the school hygiene

branch. He is also in charge of the maternity and child welfare work and the training of indigenous *dais*. He is a member of the Provincial Text Book Committee. He also organises the school hygiene section (growing child) of the Calcutta Health Week Exhibition.

(*b*) (*i*) The Medical Inspector of Schools visits schools for giving practical demonstration in school hygiene work to school doctors, health officers and sanitary inspectors, inspects the sanitary condition of the school premises and supervises the work of the school medical officers. He also inspects the *dai* training classes and assists the Assistant Director of Public Health in the health exhibitions. He is in charge of the refraction of the students with defective vision.

(*ii*) Yes. A statement is attached.

(*c*) (*i*) Three.

(*ii*) All medical graduates.

(*iii*) Each Rs. 50 a month as a subsidy allowance with free scope to carry on private practice and hold additional appointments.

(*iv*) (1) Nine schools with 2,666 students.

(2) Nine schools with 2,445 students.

(3) Thirteen schools with 2,679 students.

(*v*) They have no separate office accommodation of their own but they attend to their duties from their residences, but the distances to the farthest schools allotted to each are believed to be long.

II

EDUCATIONAL INSTITUTIONS INSPECTED DURING THE YEAR 1931-32.

6-4-1931. Saraswati Kshatriya Vidyalaya, Calcutta.

7-4-1931. Vivekananda Institution, Howrah.

16-4-1931. Entally Girls' School, Calcutta.

4-5-1931. Entally Girls' School, Calcutta.

6-5-1931. Vivekananda Institution, Howrah.

17-5-1931. Ranaghat H. E. School.

21-5-1931. Maharaja Cossimbazar Polytechnic Institute, Calcutta.

22-5-1931. Vivekananda Institution, Howrah.

26-5-1931. Bethune Collegiate School, Calcutta.

27-5-1931. Padmapukur Institution, Bhowanipur.

3-6-1931. Chetla Boys' H. E. School, Calcutta.

25-6-1931. Bandel H. E. School.

26-6-1931. Bagbazar H. E. School, Calcutta.
29-6-1931. Shambazar Vidyasagar School, Calcutta.
30-6-1931. Saraswati Institution, Calcutta.
2-7-1931. Arya Mission Institution, Calcutta.
10-7-1931. C. W. Z. Mission Girls' School, Calcutta.
14-7-1931. Moslem Training School, Calcutta.
15-7-1931. Uttarpara Government School.
16-7-1931. C. M. Z. Mission Girls' School, Calcutta.
17-7-1931. Bally Rivers Thompson School.
21-7-1931. Naihati Mahendra H. E. School.
23-7-1931. Rani Bhawani School, Calcutta.
24-7-1931. Metropolitan Institution, Calcutta.
29-7-1931. Nabadwip Hindu School.
30-7-1931. S. V. S. Vidyalaya, Calcutta.
3-8-1931. Padmapukur Institution, Bhowanipur.
4-8-1931. Sanskrit Collegiate School, Calcutta.
5-8-1931. Hindu School, Calcutta.
7-8-1931. Naihati Mahendra H. E. School.
11-8-1931. Mitra Institution, Calcutta.
12-8-1931. Hare School, Calcutta.
12-8-1931. City Collegiate School, Calcutta.
13-8-1931. Entally Academy, Calcutta.
14-8-1931. Kalighat H. E. School, Calcutta.
21-8-1931. Tamluk H. E. School. Raghunathbari H. E. School.
24-8-1931. Rani Bhawani School, Calcutta.
25-8-1931. Padmapukur Institution, Calcutta.
26-8-1931. C. M. Z. Girls' School, Calcutta.
28-8-1931. Chapra M. E. School, Nadia.
31-8-1931. Deaf and Dumb School, Calcutta.
4-1-1932. Calcutta Training Academy.
5-1-1932. Metropolitan Institution, Calcutta.
6-1-1932. Adarsha Vidyalaya, Calcutta.
7-1-1932. Sil's Free College, Calcutta.
8-1-1932. Entally Academy, Calcutta.
9-1-1932. Padmapukur Institution, Calcutta.
11-1-1932. Arya Mission Institution, Calcutta.

12-1-1932. New Indian School, Calcutta.
13-1-1932. Central Collegiate School, Calcutta.
14-1-1932. Town School, Calcutta.
18-1-1932. Shambazar Vidyasagar School, Calcutta.
19-1-1932. Model Academy, Calcutta.
20-1-1932. Manindra Memorial School, Calcutta.
21-1-1932. Mitra Institution, Calcutta.
22-1-1932. Bangabashi Collegiate School, Calcutta
26-1-1932. City Collegiate School, Calcutta.
27-1-1932. Konnagar H. E. School, Calcutta.
4-2-1932. Deaf and Dumb School, Calcutta.
5-2-1932. Belilios Institution at Howrah.
15-2-1932. Ripon Collegiate School, Calcutta.
18-2-1932. Atheneum Institution, Calcutta.
19-2-1932. Ripon Collegiate School, Calcutta.
23-2-1932. Montessori Institute, Calcutta.
29-2-1932. Krishnagar Collegiate School.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state why no educational institutions in East Bengal were inspected?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I want notice.

Unstarred Questions

(answers to which were laid on the table).

Hooghly-Chinsura Municipality.

91. Babu HARIBANSA ROY: (*a*) Has the attention of the Hon'ble Minister in charge of the Local Self-Government Department been drawn to the scheme submitted by Sj. Balai Chand Adhya to the Chairman, Hooghly-Chinsura Municipality, on April 17, 1931, for increasing the number of Commissioners of the Hooghly-Chinsura Municipality from 18 to 27 and for their redistribution on the basis of the number of population, number of voters and the amount of annual demand from each of the six wards of the municipality?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the number of population;

(*ii*) the number of voters; and

(*iii*) the amount of annual demand of each of the six wards on which the aforesaid proposal was based?

(*c*) Will the Hon'ble Minister be pleased to lay on the table a statement showing the representations submitted from time to time since June, 1922, by the people of the Chinsura side of the Hooghly-Chinsura Municipality laying their many-sided grievances against the municipality and praying for their redress either by the establishment of a separate municipality in Chinsura or by a redistribution of the elected seats, allotting 10 to Chinsura, i.e., wards Nos. 4, 5 and 6 against 8 to Hooghly, i.e., wards Nos. 1, 2 and 3?

(*d*) Is the Hon'ble Minister aware—

(*i*) that a feeling of discontent prevails in the Chinsura side of the municipality as a result of the rejection in the municipal meeting on September 18, 1931, of the motion for increasing the number of Commissioners and for their redistribution by wards;

(*ii*) that as a mark of protest against this rejection all the six elected Commissioners of wards Nos. 4, 5 and 6 of the municipality, simultaneously tendered their resignations on October 5, 1931, and again on January, 19, 1932; and

(*iii*) that since October 5, 1931, the Chinsura side of the municipality is unrepresented on the municipality?

(*e*) Will the Hon'ble Minister be pleased to state what steps, if any, he proposes to take with a view to remove the grievances of the ratepayers of Chinsura?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) No. The scheme was not submitted to Government as it was not accepted by the Municipal Commissioners.

(*b*) A statement giving this information for the years 1931 and 1931-32 is laid on the table.

(*c*) These representations have been forwarded in original to the Commissioner for disposal, and are not therefore available to be laid on the table.

(*d*) (*i*) It is believed that opinions differ about the matter.

(*ii*) and (*iii*) Yes.

(e) As suggested by the Commissioner, Government will consider the principles of representation of the various wards in a municipality with reference to the circumstances of Hooghly-Chinsura.

Statement referred to in the answer to clause (b) of unstarred question No. 91.

(i) NUMBER OF POPULATION, 1931.

Ward No. I	...	2,773
Ward No. II	...	5,382
Ward No. III	...	5,504
Ward No. IV	...	5,317
Ward No. V	...	8,078
Ward No. VI	...	5,016
		32,070

(ii) NUMBER OF VOTERS.

		1929.	1932.
Ward No. I	...	472	519
Ward No. II	...	701	923
Ward No. III	...	873	855
Ward No. IV	...	672	740
Ward No. V	...	1,350	1,137
Ward No. VI	...	909	904

(iii) ANNUAL DEMAND, 1931-32.

Ward No. I—Rs. 6,745-0-6.

Ward No. II—Rs. 23,263-4-9.

Ward No. III—Rs. 28,131-13-3.

Ward No. IV—Rs. 27,000-10-3.

Ward No. V—Rs. 40,743-3.

Ward No. VI—Rs. 12,452-7-3.

Hooghly-Chinsura Municipality.

92. Babu HARIBANSA ROY: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table, copies of the representations, if any, received by the local Government complaining against the shelving of the resolution of the Hooghly-Chinsura Municipality regarding the fixing of pressure-reducing valves on the Hooghly side of the municipality with the object of improving the water-supply on the Chinsura side?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, the Government propose to take in the matter?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) A copy of the communication which appears to be that referred to is laid on the table.

(*b*) No action has yet been taken, but the matter has been referred to local officers for opinion and particulars.

Communication referred to in the answer to clause (a) of unstarred question No. 92.

Dated Chinsura, the 1st August, 1931.

From—Babu Janakinath Mukherjee, B.L., President, Rate-payers' Association, Chinsura,

To—The Secretary to the Government of Bengal, Local Self-Government Department.

I beg to forward to you herewith a copy of the resolution passed by the members of the Rate-payers' Association in their general meeting held on 1st July, 1931, and to request the favour of your moving the Government to take such action as will remove their grievances.

COPY OF THE RESOLUTION PASSED BY THE MEMBERS OF THE CHINSURA RATE-PAYERS' ASSOCIATION IN THEIR MEETING HELD ON 1ST JULY, 1931.

Resolution 3.—Resolved that the supply of water by the Hooghly-Chinsura Municipality to its southern section, specially to the southern part of ward No. 4 and wards Nos. 5 and 6, continues to be very inadequate, though there was an unanimous resolution passed at the meeting of the Commissioners held so far back as the 7th September, 1929, to remove this inadequacy in supply (a copy of the resolution is enclosed herewith for ready reference).

It is also resolved that this Association strongly urges on the municipal executives to take immediate steps in the matter on the lines laid down on their said resolution and the Association regrets that no action has been taken by them in the matter up to this time.

The Association further urges that immediate steps be taken to bring the Kamarpara reservoir into working order and distribute water therefrom regularly to remove the present tension.

It is also resolved that a copy of the resolution be forwarded to the Chairman of the Hooghly-Chinsura Municipality, to the District Magistrate, Hooghly, to the Commissioner, Burdwan Division, to the Secretary, Local Self-Government, Government of Bengal, and to the public press over the signature of the President.

Bengal (Rural) Primary Education Act.

93. Babu HARIBANSA ROY: Will the Hon'ble Minister in charge of the Education Department be pleased to state when the Bengal (Rural) Primary Education Act, 1930 (Bengal Act VII of 1930), will come into force?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): The member is referred to the answer given to clause (*b*) of starred question No. 144 asked by Maulvi Abdul Ghani Chowdhury on the 17th March, 1932.

Survey and Settlement operations in Howrah.

94. Babu HARIBANSA ROY: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the survey and settlement operations in the district of Howrah have been ordered to be postponed?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state for how long the postponement has been ordered?

The Hon'ble Sir B. B. GHOSE: (*a*) Yes.

(*b*) The operations have been postponed indefinitely, and it has not been decided when they will be begun.

Supply of mustard oil to Division III Indian prisoners.

95. Babu SATYENDRA NATH ROY: (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether mustard oil is allowed to Division III Indian prisoners for bathing purposes?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Member be pleased to state the reason therefor?

(*c*) Is the Hon'ble Member aware that the use of mustard oil for bathing purposes is essentially necessary for the Indians?

(*d*) If so, are the Government considering the desirability of issuing instructions so that such Division III Indian prisoners may be allowed to use mustard oil for bathing purposes at their own expense or supply?

The Hon'ble Sir B. B. GHOSE: (*a*) Mustard oil is not allowed to Division III prisoners normally, but it is supplied whenever necessary on medical grounds.

(*b*) As prisoners are well fed and well looked after, the regular issue of oil is not considered necessary for their health.

(*c*) It is not considered essential for all the Indians.

(*d*) No.

Maulvi SYED JALALUDDIN HASHEMY: Will the Government consider the desirability of allowing the prisoners to use mustard oil at their own cost?

The Hon'ble Sir B. B. GHOSE: The answer is there: "(*d*) No."

Group system of voting.

96. Maharaja SRIS CHANDRA NANDY, of Kasimbazar: (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether the Bengal Government has accorded its approval to the group system of voting?

(*b*) Who is the author of the scheme?

(*c*) Is it a fact that the Franchise Committee in their recent investigations favoured such a scheme?

(*d*) Have the Government considered the desirability of consulting public opinion in the matter?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state what steps, if any, have been taken to elicit public opinion?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Government are not prepared at present to state what recommendations they have made to the Franchise Committee.

(*b*) Government have no information.

(c) A question about the group system of voting was included in the questionnaire issued by the Indian Franchise Committee, but Government are unable to say whether the Committee favoured such a scheme.

(d) Yes.

(e) A copy of the questionnaire issued by the Indian Franchise Committee, which contained questions on the group system of voting, was sent by Government to all M.L.Cs., to the non-official representatives of Bengal in the Legislative Assembly and the Council of State, to selected Associations and Societies, to selected Chairmen of district boards and municipalities, as well as to many other individuals, and their opinions on the questionnaire were invited. The questionnaire was also published in the press.

Demands for grants.

The discussion under the head "31—Education (Transferred)" was then resumed.

Mr. W. C. WORDSWORTH: I do not know whether I can make any observations that will be useful about communalism in relation to the University and our higher education. But it will not be impertinent of me to try because the European is almost the only person who can now talk about Hindus and Muhammadans without inflaming wrath. I oppose this motion, but I can assure my Muhammadan friends that I too desire to see their community taking a prominent part in the administration of the University and in the service of higher education. But I hope to see this, not as a result of legislation enforcing such a thing, not by calculation of percentages and setting of numerical claims against one another, but as a natural development from the work done by the community for our higher education. I want this to come about as a spontaneous recognition of service done, because only in these circumstances will there be that happiness and that pleasantness of work which is necessary if our education is to do what we hope for. The University serves all classes, young men and young women, Hindus, Muhammadans, Europeans, and we want in the constitution of our University and in the bodies that carry out and control its policy, representatives of all communities, so that a Hindu with his understanding of what his community requires can see that what is proper for his people is being done: similarly with Muhammadans, Europeans or any other community; but once this necessity is recognised, it does not matter a straw whether the majority of the men on the University are Hindus, or Muhammadans, or Europeans, or whoever they may be. The University wants scholars to serve it. It

wants their scholarship, their enthusiasm, their knowledge of education. There are occasions when it does matter whether in dealing with an educational problem a man belongs to this community or that. For example, a Muhammadan historian will often hold a point of view—a valuable point of view—about some matter in the history of India or the history of some other country which it is impossible for a Hindu or a European to hold. But in most departments of study these questions have no relevancy. Who cares whether a mathematician is a Muhammadan or a Hindu? Who cares whether a chemist is an Indian or a European? For the purposes which I have referred to, one Hindu is as good as 20; one Muhammadan is as good as 20; one European is as good as 20, because the University exists to do service to education and not to decide where power is to lie by any system of voting or counting of heads. It is a voluntary association where all work together or should work together for one common end without conflict or difference except those differences which have value for the purpose in hand. Only in this way is there room for communalism in the University: that sometimes the opinion of the Muhammadans is wanted on this particular difficulty; sometimes the opinion of Europeans on another difficulty; but for the rest, when we work together in the University, we seldom trouble to think whether the men round the table are Hindus, or Muhammadans or Europeans. I wish that communalism were never likely to enter the University in any other way and that the affairs of the University may never be marred by communal bitterness.

One object of this motion is to draw Government's attention to its remissness in not pressing on with the University Bill. I do not know where we stand to-day with regard to that. The Council will remember that the *swarajist* party drew up a Bill of their own, but they were prevailed upon not to press it, because Government wished to introduce legislation for themselves. The Government's Bill was introduced and went some way on its courses. But the Bill seems to have escaped every one's memory; nor have we heard Government refer to it for some time past, and it may be that the Bill has been dropped. Now in that Bill the communal principle is likely to be introduced by statutory obligation.

3-15 p.m.

I shall regret it, although I suppose it is too late in the day to oppose what is the spirit of the time. It is fair to recognise that the present situation, by which Hindus predominate in controlling the affairs of the University, is a recognition of past fact. Leaving out of consideration the contributions that Government and the missionary bodies have made towards higher education in Bengal, we must fairly recognise as a fact that most of the work in building up our University, our colleges

and schools has been the work of Hindus, and that the position of Hindus on the body of the University is merely a consequence of what has happened in the last 70 years. The Muhammadans for their part are getting stronger in the administration of education on behalf of Government and they have, I believe, three Divisional Inspectorships of Schools out of five—two being held by Hindus—and so they have a greater power of influencing, directing, and stimulating education than they would have by mere membership of the University, because in relation to schools, which after all are a very important part of the University system, the University recognizes, draws up the syllabuses for the schools and examines their pupils. But the University is not in direct touch with them. The rest of the work is done by the Department of Education, some of it on behalf of the University. I hope to see the Muhammadans grow more influential in the University, but as I have said, I hope to see it come naturally out of their own advance in interest in higher education, and not by any compulsory obligation. You may say that it is easy for one sitting in this part of the House to look on these matters with an unemotional eye. That, as I have explained, is one reason why I have ventured to speak on this subject, but the members of this group have, what I may call, a historical capacity of understanding these difficulties, because in my country we have been through them. What I am going to say may sound incredible, but I can produce chapter and verse, many chapters, many verses, for the assertion that there was a time when Englishmen had the courage and enterprise to assault Scotsmen in the street. That was long ago. But centuries of steady application of natural forces, and by natural forces I mean the superior persistence and ferocity of the Scotch have reduced the English race to that low level of insignificance and inertia that you see to-day; so that when in any grave crisis the world listens for the solemn and deep voice of England, what it generally hears is the voice of a Campbell or a MacGregor, a Marr or a Prentice. I say this by way of encouragement to our Moslem friends, who though not a minority in this province have a way of speaking sometimes as if they were not only a minority but a very dejected minority indeed. Let me make it clear that by the historical illustration I have used, I do not suggest that I hope ever to see the Hindus of this province reduced to the abject condition in which the English are to-day. My object is only to encourage the Muhammadans. I have tried to persuade them that their interests, so far as education is concerned, will not be helped by compulsory legislation that deals with setting up percentages and figures one against another. I hope to have persuaded them that if at a University election a Muhammadan candidate is not elected, he is not necessarily rejected because he is a Muhammadan. And I would ask them to believe that generally education is an interest that calls for the generous and wholehearted co-operation of every one and is only damaged by the fears and suspicions of sectional rivalry. (Hear, hear.)

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I thought that I would not have to take any part in the debate at all, but I am tempted to reply to one question and that is that in spite of the high ideals that have been set forth, our University institution is not run on those high ideals. I will take a concrete case, but I feel great nervousness in replying to the speech of a member of this House at whose feet I learnt the first lessons of politics. I have great respect for him and I naturally feel that nervousness which a student always feels before his professor. About a year ago I attempted to get a Muhammadan professor elected in a certain faculty in the University of this province. Would you believe it, Sir, that in spite of the best efforts put forth and in spite of the fact that I can cite both chapter and verse, there was a certain gentleman whose qualifications were in no way superior to those of the Muhammadan gentleman. I do not say that this is a case which involved the Hindu-Moslem question. As I have said, our University is not run on those Puritan principles on which a University should be run, and that is why we often hear that a Muhammadan is not able to join one party or the other. I am sorry that in the speech of the mover, the communal question was raised. I do not raise that, but I do feel that the University is an institution in which the children of the soil, both Hindus and Muhammadans, ought to play their part. Look to the history of India and you will find that there are large works to be done in that department; but unfortunately the contributions of the Moslems have been so meagre that unless some attempt be made to rehabilitate that department, it would be very difficult for Muhammadans to get in there. As Mr. Wordsworth has said that you cannot possibly lay down percentages, I would like to learn a lesson on the floor of this House what other methods there are. Is there any way out? The Muhammadans are not asking in the least that their percentage should be 51, but only a reasonable percentage. I think my friend, Mr. Syamaprosad Mookerjee, will bear me out that the Muhammadans have never claimed any extravagant proportion so far; yet there have been cases of appointments and cases of certain institutions in which Muhammadan interests have suffered not because they are Muhammadan, not because there was a Hindu-Muhammadan problem. The Muhammadans, however, feel that they have suffered in the past. When the University of Calcutta was first started and run by people who were neither accustomed to the conditions of this country nor able very well to foresee what the developments were going to be, and in the year 1872 when in this province the percentage of Muhammadans was 55, there was no provision for the teaching of Arabic and Persian, and you will be surprised to learn that it was after years of effort that Persian and Arabic were included as subjects of study. I have all along said that in the matter of the University we urge this only on the ground that our education is a matter of supreme moment to the University, and not because we are a community by ourselves.

To quote the very words of Sir Ashutosh Mukherji, the revered gentleman who moulded the affairs of the Calcutta University, if you want to shut one section of the people by whatsoever means, the result would be disastrous to the interests of the University. So far as the present facts stand, the Moslems are nowhere. My friends might point out certain instances in which attempts have been made from time to time to rehabilitate the position, but what has been the result? I do not know what has been done during the last few months, but at least would you be surprised to hear that in the whole department of the Calcutta University, there is not a single Moslem clerk—a matriculate—quite fit to work in the office of the Calcutta University. I do not say that that is a ground on which I put my claims, but that is a ground that I have to keep before my eyes. As to what the University matters are going to be, I feel that when the Moslem community have been demanding some sort of legislation, it is not a legislation which will be imposed by an outside body, but one which will be by the agreement of all sections, and we should be able to put forth our claim. The Moslems do not want to go there for the loaves and fishes of office, but with a view to concentrate their energies to contribute intellectually to the work of the University. It is from that point of view that the Moslems have all along claimed it. I would not cite other instances. It is not a debate in which we are discussing the interests of the University. But I urge this to make it clear to you and through you to the outside public so that the Moslems may not be misunderstood. The unfortunate point is that the moment a Moslem claims anything for his community, it is brushed aside, even when they try to establish it by facts and figures, and although it is very distasteful to them, the situation leaves no other alternative for them. I do not want any section to lay down a legislation on any ground but the legitimate natural and normal needs of the interests of a particular community which unfortunately is very backward, and so the representation of the Moslems should not be given to any extent beyond what is necessary in the interests of education—it is not merely the education of one community or another, but the education of all the people which embraces the Moslem community, and because that community is backward, it is more important that their interests should be more taken note of than what is being done at present.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I should have been very happy to support Mr. Tamizuddin Khan in his motion, if he had stuck to the brief statement of reasons which is printed on the agenda paper. If he had stated that the constitution of the Calcutta University is such that it requires an amendment of the University Act he would have found so many grounds on which to base that claim, an irresistible claim, that it would have been difficult for any one to oppose it. But unfortunately he has chosen a ground on which it is difficult to agree.

Well, Sir, in regard to the constitution of the University, there is one point of view which can be urged and that is that the University ought to consist exclusively of educationists; it is a matter for educationists and experts in education. The University, therefore, ought pre-eminently to be a body representative of educationists. Well, the Calcutta University is not that body. It might, on the other hand, be stated that the Calcutta University should be a body in which place should be found for distinguished scholars and for distinguished graduates of the University. Well, the University does contain a great many distinguished graduates, but at the same time there are many who are not so distinguished, and a great many distinguished graduates are excluded from the University.

3-30 p.m.

That might have been a very good ground for seeking an amendment of the constitution, but the mover of the motion has not referred to that. From another point of view it may be said that the University ought to represent the wishes of the educated community, the graduates of the University, that is to say, that the University should be pre-eminently constituted by persons elected by the graduates of the University. The Calcutta University is not that body. Out of the total number of members of the Senate, only 20 *per cent.* are elected and 80 *per cent.* are nominated. Out of this 20 *per cent.* only 10 *per cent.* is elected by the graduates. Therefore, the Calcutta University is neither a body representative of educationists, nor a body which finds place for every distinguished scholar within it, nor a body which is representative of the graduates. This has gone on for a great length of time——

Mr. PRESIDENT: Does the motion require any definition of the Calcutta University?

Dr. NARESH CHANDRA SEN GUPTA: The motion is directed to draw attention to the administration of the University and the necessity of amending the Calcutta University Act. It is these defects in the constitution of the University which were examined very thoroughly and fully by the Sadler Commission who made a number of recommendations which were arrived at after the most thorough examination of the situation, and in consonance with the most up-to-date notions of University work. But those recommendations which have been given effect to in the constitution of other universities in India, have not yet been used for the purpose of amending the constitution of the Calcutta University. For these reasons, I think, Mr. Tamizuddin Khan would have made an absolutely strong and irresistible case for amendment of the constitution of the Calcutta University. But

what he insists upon is one aspect of the question upon which there is not only great difference of opinion, but one which, some of us think, would be subversive of the work of the University. Well, as Mr. Wordsworth has very lucidly pointed out, the work of the University cannot be carried on on communal lines. It has got to be carried on on a very different basis, and from different ideals. But at the same time it is certainly most desirable that there should be a much larger number of capable Muhammadan educationists, and persons who take interest in education and take part in the affairs of the Calcutta University. Without a sufficient number of such Muhammadans in the University, there is always the risk, however well-meaning the University may be, of the activities of the University becoming occasionally one-sided. So much everybody will concede, but what is the remedy for that? The remedy consists not in a change in the constitution by which there should be a statutory provision for a minimum number of Muhammadans, but to secure that the Muhammadans should have their legitimate share in the work of the University. For, for instance, suppose we provide in the constitution for the creation of faculties in the departments in the University in which Muhammadans have specialised and in which Muhammadans are deeply interested, and if we also provide that Muhammadan teachers should also come into the University, by that means you introduce a body without laying it down on a communal basis, a large body of Muhammadans who must be there. Besides, there are a large number of Muhammadan graduates, but if you enlarge the number of representatives of the graduates of the University, it would be possible for the Muhammadan graduates who take interest in education, and who have the confidence of the Muhammadan graduates as a body, it would be possible for the Muhammadan graduates to come in large numbers. But to lay down that there must be a certain definite percentage of Muhammadans in the University would mean the introduction into that body, of persons whom Mr. Tamizuddin Khan would certainly not want on it.

The mover of the motion made it clear that what he wanted was that persons who are competent to deal with the affairs of the University, that those persons alone should come in. If such persons are not found,—I think I am quoting the substance of Maulvi Tamizuddin's contention—then those seats should go to non-Muhammadans. Well, suppose you had, say, 25, 30 or 50 *per cent.* of the seats reserved for Muhammadans, and suppose an occasion arises when you cannot provide 25 *per cent.* of the seats with Muhammadans who are qualified,—take that contingency—if you have a statutory number, which you have to fill up, you must fill it up by the sort of Muhammadans whom Maulvi Tamizuddin does not want. That is the chief defect of a statutory proportion of representation of Muhammadans in the University. And

what follows? What is the result? The result of the introduction of Muhammadans as such in the University might be beneficial in some ways, but it would also be harmful in other ways. Well, if the Muhammadan member is there, by suffrage of his co-religionists, there will be occasions when he would have to justify his presence there as a Muhammadan, to make out a Muhammadan question, and to put forward a Muhammadan point of view, sometimes by force. Well, I am not talking academically. Unfortunately I had the experience of the work of a University in which this communal principle had been recognised. I do not want to go into that. But that has been my experience sometimes. But that being so, you will be introducing into the affairs of the University matters which are not proper. Then, there is the other question of dividing the loaves and fishes of the University on a communal basis. I do not say that at the present moment in the University, the loaves and fishes are divided on equitable grounds or purely academical grounds. On the contrary, there is a great deal in the University which calls for adverse comment. In many cases the appointments go, not necessarily by merit, but by adhesion to parties. Appointments to posts, appointments to Faculties and other appointments often occur like this, and by introducing the communal principle into that, you are only adding another baneful influence and not helping to eliminate those already there. I would say, make an effort to get rid of whatever abuses there may be in the University in this respect, but do not introduce something which will be equally bad or perhaps worse. But some indication of what things might be like this, is afforded by the reference of Khan Bahadur Azizul Haque to the fact that in the office of the University there is no Muhammadan clerk. I do not know whether that is correct. Supposing this is so, if you analyse the roll of clerks, you will possibly find that most of them are there, because you see that they are somebody's somebody. Well, it will not improve matters if you say that some persons should be there because they are Muhammadans. I do not think that my Muhammadan friends will really agree that it should be understood in this way. After all, this thing has got to be remembered that the interests of communities are not bound with the loaves and fishes of office there. After all, the number of offices which are held by persons in the University, the amount of remuneration that goes to the staff, is perhaps the tiniest part of the benefit which the University gives to the community. The great benefit done by the University is by giving education, and if for the sake of taking a large share in the emoluments of the offices of the University, you introduce into it elements by reasons of which persons should be appointed not for consideration of worth, but for other considerations, you are, to that extent, impairing the utility and the ability of the University for rendering this service to the community. This was a proposition which I stated to a deputation of Muhammadans who discussed the question

of appointments of professors in the Faculty of Law to the Dacca University. When they asked me to——

[Here the member, having reached his time-limit, resumed his seat.]

Nawab MUSHARRUF HOSAIN: I did not hear the speech of my friend Maulvi Tamizuddin Khan, which has raised a great deal of controversy in the House. I know the history of legislation and the spirit of the Legislative Council for at least a year and a half while I had the misfortune of working as the Education Minister. When I was Minister, a Bill was introduced for amending the Calcutta University Act, by a non-official gentleman, and it went to the Select Committee, and I presided over that. I do not know whether I am infringing the rules of etiquette when I say that all that was discussed here was discussed already at the meetings of the Select Committee.

3-45 p.m.

There was an attempt for the introduction of some element of Muhammadan representation also in it, but that was accepted as, some would say, necessary evil—but I must say, necessary good. I requested on behalf of Government that the member should be pleased to withdraw it and I gave an undertaking to the then House that a Calcutta University Bill would soon be introduced by Government and for that purpose, as far as I remember now, a very high-salaried special officer was appointed to draft a Bill almost on the lines agreed upon by the Select Committee. That officer worked for some months, I believe, and must have given some concrete cases. I do not know what they were and I do not know why Government have been hesitating in such a House as this to introduce a Bill—I beg your pardon if I have offended the House—and change the constitution of the University in the light of the speeches that have been delivered by my friends here. It is not a very difficult thing and it can be easily done by the Minister in charge of Education now because he must have a lot of materials already in his possession. He can consult the report of the inquiry that was made by us and which is in the Secretariat or perhaps which might have been thrown into the waste paper basket there. Sir, at this time when democracy is going to be established in this country and has been accepted as the principle on which administration should be run, I do not know why should the Calcutta University remain a nominated body as it is. Personally, Sir, I cannot support such a policy of the Government in keeping so much power in their own hands. If instead of 80 *per cent.* nomination, Government, in order to keep its dignity and prestige, wants to keep just 25 *per cent.* nominated seats, it will do their purpose very well. But why at this time, when the whole country wants democracy, the old

nominated system should be allowed to prevail now in Calcutta University. At least from this point of view, I think, Sir, that the Government should not remain idle and smile in their seats while people from this side of the House are crying hoarse for some action in this vital matter. Sir, the Hon'ble Minister has got enough materials in his possession to bring forward a legislation for this purpose. Why should not Government take a lesson from this part of the House, why can they not come forward with a Bill which will satisfy all sections of the House and carry it through?

Sir, as regards the communal aspect of the question, I do not wish to enter into that controversy at all, because it has been accepted as a matter of principle now that some sort of indulgence should be given to the community which is not really forward—at least which was not really forward erelong. I do not think that it is still a controversial matter, but it is the accepted principle of the Government. But whether a certain percentage of seats should be reserved specially for one community, that is a matter for the Select Committee to decide after a Bill has been introduced in the Council and referred to a Select Committee. I would appeal to the Hon'ble Minister to see that the Calcutta University is made a democratic institution run on an elective system of course with a certain percentage of seats to be nominated by Government, and to bring a Bill to this House to that effect.

With these few words, Sir, I support the motion of my friend Maulvi Tamizuddin Khan.

Maulvi ABUL KASEM: Being not a University man and having narrowly escaped University education, I should not rush in where angels fear to tread. But, Sir, I feel it my duty to say a few words about the remarks made by two distinguished University men like Mr. Wordsworth and Dr. Naresh Chandra Sen Gupta. Mr. Wordsworth has laid down various ideals about the constitution of the University, and he says that in the University, scholarship, academic attainments and services for the furtherance of knowledge should be the only qualification for a seat on the Senate or the Syndicate of the University. So far as it goes, it is certainly quite right and nobody can dispute that. But another distinct University man who has got the highest degree, I mean Dr. N. C. Sen Gupta, says that the University affairs are managed not on merit, not on academic attainments, but on party tickets or party organisations. He incidentally mentioned that University appointments are made not on academic considerations (A VOICE: Not always)—if not always, at least sometimes—because somebody is somebody's friend or relation. I submit, Sir, Mussalmans have suffered in education because they had no voice in the Senate, because in the University there being very few Muhammadans or no Muhammadans at all, they could not be somebody's somebody, and, therefore, they have

been neglected. Sir, it is a misfortune under which we, the Mussalmans, are suffering that whenever we raise our voice for a share in the administration either of the country or of any institution, the cry is at once raised, and raised loudly and vociferously,—here is a cry for communalism. But whenever there is any party or a clique, in the words of Dr. Sen Gupta it is a thing which is wrong, but it will be a worse thing if a communal element is introduced.

I submit, Sir, I do not advocate that there should be a statutory provision for appointments of Muhammadans on the Senate, that is a matter for the University and the Government to consider, but it is a fact, Sir, that the Mussalmans not being on the University so long, Muhammadan education has suffered and their advancement retarded on that account. Sir, I may in this connection refer to the Dacca University where the Muhammadans are not in a majority or even have a preponderating voice in its administration, but the Muhammadan element there is sufficiently strong to make its position felt. And what has been the result? Mussalman students of the Dacca University are showing very good results both in quality and in quantity. What is the difference between a Muslim boy of the Dacca University and of the Calcutta University? Why is it that in the Calcutta University so long and even now they cannot prove themselves up to the mark and their advancement is not so good and satisfactory as it is in the Dacca University? In my humble opinion the only reason is that there they have got a voice on the University, while in Calcutta they have not. Now, Sir, it has been said that Khan Bahadur Azizul Haque incidentally said that there was not a Moslem clerk in the Calcutta University. It may be said that it is a petty and trivial matter which ought not to be brought into notice. I admit, Sir, it is an insignificant matter. But I believe Khan Bahadur Azizul Haque mentioned it not to say that we are so very anxious for an appointment of a clerk in the Senate House, but that shows the spirit in which the affairs of the University are being managed, in which Moslem interests are not properly appreciated but actually neglected.

As regards the other matter to which Dr. Sen Gupta has referred, I think the Government, in view of the statement made by Dr. Sen Gupta, should not lose a single moment in introducing legislation so that the system of entertaining somebody's somebody should be altogether abolished and done away with as early as possible.

Sir, my friend Nawab Musharruf Hossain has suggested that the University should be a democratic institution. Of course, being in the secrecy of the Government, having held the portfolio of Education in his hands for some time, he can speak with great authority on this subject. But whether the University is democratic or autocratic, the University should be a body of selected men of eminence and academic distinctions, who should take notice and proper care

to develop, advance and encourage education of all sections of the community in the province without favour and without bias, and I think, Sir, I should say a word of caution that the University has so far taken a prejudiced view in regard to the Mussalmans of the province.

4 p.m.

Mr. SYAMAPROSAD MOOKERJEE: In rising to speak on this motion, I feel I suffer from certain disabilities, because I happen to be intimately connected with the University, whose administration has been the subject matter of discussion during the last two days. At the outset, I should like to refer to the question of financial settlement. That is a matter which vitally affects the future existence of the University and the thanks of the University are due first and foremost to the Right Hon'ble Sir Stanley Jackson who was its Chancellor and who presided over the various conferences which were held between the University and the Government representatives. Our thanks are also due to the Hon'ble Minister and those members of the Education Department who have tackled this question with due regard to academic requirements. It will be idle for me to say that we are satisfied with the proposed grant—we expected certainly more—but still we hope that with the grant which the Government propose to make, subject to the vote of this House, it would be possible for the University to introduce some essential reforms which, in the opinion both of the Government and the University, are long overdue.

Coming to the discussion about the administration of the University, it becomes extremely difficult for any one to meet vague accusations and allegations. Members of the House will recall that last year we had a similar debate and it was my privilege then to place certain facts and figures before the House which, I maintained, went clearly to show that the University was not communal in its outlook. But apparently there are certain members who are not prepared to look into facts but will go on placing their opinions, before the House, no matter whether they are based on truth or otherwise.

Coming to concrete accusations, there was one instance which was quoted by Mr. Tamizuddin Khan before the Easter vacation; I may say here that I have not much to say against the general tone of his speech. He referred to the case of a brilliant Moslem graduate who had returned from London about two years ago with the Degree of Doctor of Science of London University. I think I am not wrong when I say that that young gentleman happens to be the first Muhammadan who has been admitted to the Degree of Doctor of Science of the University of London. He had a uniformly brilliant career and I may say to my friend Maulvi Abul Kasem, who, I find, has already disappeared from the House, that he did not suffer during his career

as he was a Muhammadan. In his B.Sc. Examination he had taken a first class in a subject which does not concern Islamic culture; similarly he had also taken a first class in the M.Sc. Examination. It has been suggested that that gentleman was not returned as an added member of the Faculty of Science a few weeks ago perhaps because he was a Muhammadan. Now I would like to say a few words with regard to this gentleman. As soon as he returned to Calcutta, we in the University were all anxious that we should give him some special recognition, because we felt that such recognition would not only mean recognition of individual merit but would also mean encouragement shown to the community to which he belonged. I may say here that within a few months of his arrival—he was not somebody's somebody I may assure Dr. Naresh Chandra Sen Gupta—we appointed him an examiner in the B.Sc. Honours Chemistry, theoretical and practical. We also appointed him within a few weeks an examiner in Organic and Inorganic Chemistry in the medical examinations. We also appointed him a tabulator—and that is a post which carries some remuneration—for the different University examinations—law, medical and also general examinations. The Director of Public Instruction who is an *ex-officio* member of the Syndicate is present here and he will bear me out when I say that there was a general desire on the part of the Syndicate to see that this young Moslem graduate was properly recognised by the University authorities. It is unfortunate that he was not returned as an added member of the Faculty of Science. I looked into the record this morning and I found that he missed his election just by one vote and along with him there were certain other Hindu gentlemen who also missed their election. I also found that there was another Hindu gentleman who is also a first class first of this University and a D.Sc. of the London University, who was not returned. I also found that a Hindu Professor of Chemistry in the Presidency College was also not returned to this Faculty. I found also that there were several other professors belonging to the other departments of the University, who were not returned. When members belonging to the Hindu community or to the European community are not returned, it would be fair or just to say that they were not returned as a result of election and not because they are Hindus or Europeans. But when it comes to the case of a Muhammadan who is not returned, our Moslem friends would turn round and say that he had not been returned because he happened to be a Muhammadan! I made an inquiry from one or two members and the reply I got was perfectly convincing; there was a report that this gentleman was going to be appointed a Fellow of the University and members of this House perhaps know that when a gentleman is appointed a Fellow, he is usually attached to his relevant Faculty. In fact, orders of Government appointing him a Fellow were received two days after the election was over and he has now been attached to the Faculty of Science.

So, there was really no substance in the one concrete instance cited by Mr. Tamizuddin Khan. In fact, from this year's election results we find that in the Faculty of Arts one Muhammadan member, a professor of the Islamia College, has been elected by the entire Faculty defeating a certain eminent Hindu member, who happens to be the senior professor of Sanskrit and Bengalee in the Presidency College. The Hindu candidate has not made it a grievance that he has been defeated because he is a Hindu. Similarly, in the Faculty of Law, we have elected one added member, who is a Muhammadan. I believe Mr. Tamizuddin Khan did not know of these two instances; I would be the last person to suggest,—knowing him as I do—that he did not mention these two instances on the last day although he knew that the University had returned these Muhammadan gentlemen to the different Faculties.

Khan Bahadur Azizul Haque also referred to one concrete instance, but he was not clear to which particular instance he was referring. If he was referring to the question of election of added members. I think I have placed sufficient facts to show that there was no question of bias on the part of the University authorities so far as these appointments were concerned.

The next point is about appointments to the Senate. As I said last year, the nominations to the Senate are not in our hands and it is of no use attacking the University on the ground that there should be more Muhammadan members on the Senate. The University consists of 100 ordinary members of whom as many as 80 are nominated by the Governor of Bengal. My friend Mr. Tamizuddin Khan said yesterday that the Calcutta University was an example of a self-governing institution. I do not know if his ideal of self-governing institutions contemplates a constitution where as many as 80 *per cent.* of its members are appointed by the Head of the Administration! Only 10 members—and not 20 as Dr. Naresh Chandra Sen Gupta stated—are elected by the registered graduates and 10 are elected by these 90 persons from the different Faculties. So no charge can be reasonably laid against the University for not appointing Muhammadans as Fellows. If you look to the figures, you will find that there are about 20 Muhammadan members in the Senate, and 20 *per cent.* is not quite bad. The number of European members of the Senate is about 30 and there are about 50 who come from the Hindu community. Of course I include among these 50, two members who belong to the Indian Christian community—if my friend Reverend B. A. Nag has no objection to my so doing. That is how the seats are distributed at present in the Senate. So far as I am concerned, I may say that we have absolutely no objection to having a few more Muhammadans on the Senate of the University. There should not be any such idea that the University is opposed to the return of Muhammadan members.

Only the other day you have perhaps noticed in the gazette the appointment of two Muhammadan members as Fellows in place of two distinguished Hindu members both of whom are educationists, one a University professor and the other a professor in the Presidency College.

But the only condition which I would like to impose is, as Mr. Wordsworth has made it quite clear in his able and sympathetic speech, that the Muhammadan members who come to the University should not have the mentality of my friend Maulvi Abul Kasem; they should come not as champions of Moslem interests, but to serve the educational interests of Bengal. That is the only condition which I would impose.

So far as Moslem contribution to the Calcutta University is concerned, I do not want to rub this point in. You may remember that last year I drew your attention to the fact that whereas during the last 25 years the Hindu public have contributed about Rs. 50,00,000 to the University, the total amount of contribution by the Muhammadans amounts only to Rs. 10,000 or Rs. 11,000. My friend Mr. Tamizuddin Khan said yesterday that this point was made by me to suggest that because the Muhammadan contribution was so small, Muhammadan representation also should be equally small. I did not mean to suggest that, but I said that it was a matter of regret that the Muhammadan inhabitants of this province have not come forward to give expression to their practical interest in the development of the education of the province in the way that the Hindu members of the public have done. Leaving aside those great benefactions which were made by our distinguished countrymen like Sir Tarak Nath Palit and Sir Rashbehari Ghosh, if you take the ordinary contributions which the University every year gets from unknown people spread throughout the province, for the purpose either of commemorating the memory of some one whom they love and who are dead or for some such other purposes, you will find that there is almost a continuous flow of about Rs. 18,000 to Rs. 20,000 each year to the coffers of the University.

4-45 p m.

True, they are made for specific purposes, but this discloses an urge on the part of the Hindu public to come forward and pay something to the University,—the University which they regard as their own *alma mater*. I was just collecting the figures for the last two or three years and I find that during this period the contribution of the Muhammadan public is *nil*. I speak of small contributions which come from modest persons who do not want to see their names published in the Honours' List. Muhammadan members would do very well if they could organise an opinion amongst the Muhammadans of this province so that greater opportunities might be created for them for imparting education to the members of their community and full advantage

might be taken of such opportunities by the rising generation of Moslems. If a proposal is brought forward before this House that more scholarships should be created for the purpose of giving greater facilities to Muhammadan students to pursue various branches of learning, not merely Arts and Letters, but science, engineering and technology——

(Here the member reached his time-limit and resumed his seat.)

[At 4-15 p.m. the Council was adjourned for prayer and it reassembled at 4-30 p.m.]

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, the chief criticism that has been levelled against the Education Department by the various speakers has been that Government have not introduced a Bill to amend the Calcutta University Act. Different speakers have given different reasons for this criticism. It is true that Government undertook to introduce an amending Bill. I have got a faint recollection that I told the House once before that Government could not introduce the Bill for lack of funds. We have seen the result of the introduction of a certain Bill—a controversial Bill—which was passed but which could not be given effect to owing to lack of funds. When amending the Calcutta University Act, it will be necessary to bring in a Bill for the control of secondary education in Bengal. The two things have got to be taken together. They cannot be dealt with separately and for both these measures it is necessary that Government should be in a position to find adequate funds for giving effect to the reforms which will be introduced under them. For this reason, Sir, Government decided that the present is not an opportune time to introduce a Bill of this kind. There is another reason for the decision of Government. The Organisation Committee's report which has been approved by the Senate with slight modifications has proposed reforms which are going to be introduced shortly and the change of some of the regulations will remove most of the criticisms levelled against the University and the necessity for an amending Act is not so great now as it was before. If members had taken the trouble to read the report, they would not have had to take the trouble of ventilating their grievances against the University in the Council.

Dr. Naresh Chandra Sen Gupta complained about the appointments, and the Nawab Sahib also spoke something about the same subject; the latter has stated that he spoke from personal knowledge, so I refrain from contradicting him; but I will point out that under the Organisation Committee's report, the reforms that will be introduced will enable the University to appoint properly qualified men, because these appointments, especially the higher appointments, will be made on the recommendation of the Selection Committee—something on the lines of the Selection Committee of the Dacca University. The University and Government will nominate their representatives on the Select Committee besides an

expert from another University and the head of the department. I am sure the members of this House will agree that the men nominated by an expert committee of this character will be suitable and fit candidates for holding appointments in the University. Similarly, for minor appointments in the University, there is going to be a Selection Committee, and I am sure that much of the criticisms that have been levelled against the University on this score will disappear. At least I would request the members of this House to give the University a chance to show that suitable and fit persons will be appointed against whom nobody will have any ground for complaint. This would also apply as far as Muhammadans are concerned. They can rest assured that when responsible men like the heads of departments of the Calcutta University, who are men of very high educational qualifications and some of whom are brilliant men having international reputation, are on the committee, and when suitable Muhammadan candidates appear before them, they will get justice in the matter of appointments in the University. At least it is only fair that you should give the University a chance to prove that they will do justice to the Muhammadan candidates.

Nawab Sahib referred to the necessity of turning the University into a democratic institution. I am afraid this is the last thing that should be done. The cause of some of the troubles in the University has been that the constitution was too democratic. The heads of the department, the professors and readers had not enough voice in the administrative bodies of the Post-graduate Department. This was, in the opinion of the Organisation Committee, a serious defect. They have proposed that more power should be given to the heads of departments and senior men of the University like professors and readers, so that they can have more effective control over the junior men.

As regards the question of reducing the number of nominated members in the Senate, that is entirely a different question and I do not think any useful purpose will be served by considering it at this stage. When the Calcutta University Act is amended, that will be a fit occasion to consider a question like this. Sir, in view of what I have said, I hope the hon'ble member will withdraw his motion. I may again draw his attention to the fact that Government are considering the question of bringing in an amending Bill in the near future. As a matter of fact, Dr. Jenkins was appointed as a special officer for the purpose of drafting a Bill. A Bill was drafted and it was sent to the Calcutta University for obtaining their opinion on it. There was some delay in getting a reply from the University and in the meantime Government came to the conclusion that when there was complete responsible Government in Bengal, that would be the most suitable time to bring in a Bill like this, because it was likely to be a very controversial measure and it was likely to carry much more weight

to receive the approval of the public much more if it went through the reformed Council than if it was passed by the present Council. Therefore, Sir, as far as the new Bill is concerned, it will come. As regards the immediate grievances, the reforms which the University are going to adopt will remove most of the complaints of the Moslem community. Therefore, in view of what I have said, I would request the member to withdraw the motion.

The following motion of Maulvi Tamizuddin Khan was then, by leave of the Council, withdrawn :—

"That the demand of Rs. 4,88,256 under the head '31A—Education (Transferred)—University—Grant to the Calcutta University' be reduced by Rs. 100 (to draw attention to the administration of the University and the necessity of amending the Calcutta University Act)."

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 5,04,384 under the head "31—Education (Transferred)—Grants to Universities—Calcutta University" be reduced by Rs. 1,001 (to urge the desirability of the opening of a class for the training of Librarians and throwing open the University library for public use as has been done by another Indian University).

Mr. President, I should like to divide my motion into two parts,—to urge the desirability of opening a class in the University library for the training of Librarians and to suggest the advisability of throwing open the University library to the public as has been done by the University of Madras.

Sir, it was a matter of great regret that Bengal does not possess a single trained Librarian. There was scarcely any library in the West which was not in charge of trained librarians, and any country where training was not given in librarianship. Some Universities conferred degrees on qualified librarians. The want of trained librarians was being keenly felt throughout this province, but unfortunately there was no provision anywhere for the proper training in librarianship.

Sir, in my capacity as President of the All-Bengal Library Association, I have received a good many applications from teachers, graduates and librarians for making proper arrangements for their training in library science. The librarian of a Moslem college in Calcutta, who was formerly a professor, inquired whether I could arrange his training in Madras or elsewhere at Government expense, if it could not be arranged in Calcutta. He confessed that for want of practical training he found his task most irksome. Though he had studied Melvil Dewey's decimal system of classification, he found it extremely difficult in its practical application. Such was also the case with the Presidency College library where conflicts between Dewey and other systems were in evidence. The University library fared no better.

Sir, in reply to my unstarred question No. 96, dated the 21st March, 1931, a statement was laid on the table about the qualifications of the present librarians in the Education Department. A list of 17 librarians serving in different Government colleges was given. I was rather disappointed to find that none of them had adequate and up-to-date training in Library Science.

Sir, the University of the Punjab is rendering a really valuable service by the establishment of a library training class which have turned out over a hundred trained librarians within a decade and a half. In 1925, the Punjab University engaged the services of Mr. Asa Don Dickinson, Librarian of the University of Pennsylvania, United States of America, to reorganise the University library on modern scientific lines. He started a library training class and invited librarians from all parts of the Punjab to join for training in library work. His call was very well responded to. A large number of librarians from various colleges and public libraries and even some book-sellers joined the class. He gave them a course of practical work in librarianship and with their help reclassified the books in the University library on the Dewey Decimal Classification system and prepared an up-to-date dictionary card catalogue. Although Mr. Dickinson did not stay in the Punjab for more than a year, the memorable work inaugurated by him is still being carried on by his able successor Mr. Labhuram.

Sir, the Madras University sent abroad one of its Professors, Mr. R. S. Ranganatham, for training in Library Science. He had his training in the London University and after his return, he has been doing yeoman's service for the furtherance of libraries in his Presidency. A class for the training of librarians has been opened by the University under his supervision. The doors of the University library has been thrown open to the public and Mr. Ranganatham has converted the University library into a live workshop, with his sixty busy assistants.

Sir, a few generations ago, the librarian was a mere 'keeper of books' but to-day his position is that of a business manager. Sir, we must realise that books in themselves are not knowledge but only its reservoirs and the channels by which it flows from mind to mind and from generation to generation or we shall be in danger of subscribing to the false and misleading doctrine contained in Carlyle's well-known saying 'The true University of these days is a collection of books.' A collection of books is no more a true university than a building full of books is a true library, for the books themselves as books are mere dead bones until they are stirred into life by the trained librarian. They must be selected, classified, catalogued, intelligently displayed, and brought to the notice of the reader or student. They then become a living entity, a true library, with wonderful potentialities for service in the social and educational life of the nation.

Sir, we might consider libraries from several angles—their function, the service they should render to the community, the means to be employed to that end, the modern and constantly developing machinery by which they are operated and the ever-widening field of their activities. Much depends upon our idea of the true function of a library, and the place of the library in education, not only in building up the mental life of the young, but in offering opportunities for culture and knowledge to the adult.

Sir, the days of 'Books are for Preservation' or 'Books for the Chosen Few' have long passed away and the day of 'Books for All' has dawned. It was now too late in the day to confine the treasures of knowledge within closed doors. To keep pace with present conditions, trained librarians were essential to extend the usefulness of the library.

Sir, the present day library is a business institution, with business organisation, business problems and business outlook, and should be carried on by business methods. As the success of any organisation depends upon its service to the public, just so does the success of the library rest upon its service to the public, and the service implies possession of materials, knowledge of how they work, skill in using them, and command of resources. It implies also that the thing to be given must first be possessed by the giver, the 'power behind the throne,' the 'soul of the library,' I mean the librarian.

Sir, the librarian serves as a friend, philosopher and guide to the reader in the wilderness of books where all the thoughts of the ancient philosophers are set down in print for all generations. Aristotle, Plato and the rest are gone; yet they remain for ever. The great struggles of humanity to rise, the unconquerable determination of the race to achieve freedom and happiness, these are on the records. Readers of books can live again the emotions that have swayed peoples and determined the boundaries of nations. The high thoughts of Emerson, the gentle humours of Dr. Holmes, these remain with us, friendly companions that will come at a gesture. The swinging narratives of Homer go swinging through the ages. To fill the needs in the lives of humanity is a serious task devolved on the librarian. He is required not only to be a business man but also a person of refinement and culture, who should know the best that has been said and thought in the world. In the West most of the famous librarians are not merely business managers but are also men of vast learning.

Sir, in the training of librarians, Northern India is being served by the Punjab University, South India by the Madras University and Western India by the enlightened State of Baroda. Sir, was it meet and proper that Bengal should lag behind the other provinces? Sir, a great statesman like Mr. Gokhale once said that what Bengal thinks to-day, the rest of India will think to-morrow. This high compliment

was paid only about four decades ago, but within this intervening period Bengal has receded backwards in almost all matters of national importance. It was high time for Bengal to make a forward movement to retrieve its lost glory. Nevertheless we are proud of the achievements of our University in the sphere of higher education, in Science, Art and literature. It was up to them to fill up an important gap in the diffusion of knowledge by the opening of a class for the training of librarians in modern library science. I can guarantee that there will be no dearth of learners if the University thinks fit to open a class. If a class is opened, a career will be opened at least for a limited number of young aspirants for librarianship. The demand for training in librarianship was so great that we had to ask our esteemed friend Mr. Asadulla, Librarian of the Imperial Library, if he could do something for them. I am glad that he has kindly undertaken on his own responsibility the training of one of them.

Sir, another matter to which I want to draw attention of the authorities concerned was to consider whether in the interest of higher education among the wider public, it was advisable to afford them the necessary facilities by allowing them to use the University library without confining it amongst the professors and students of the University. The rules of admission in vogue in the Imperial Library may very well be adopted by the University. The motto of the Calcutta University is the advancement of learning and it would not, I think, interefere with its high and noble ideal, if the public is admitted within its portals for extending the bounds of their knowledge. Madras has done it and its University library has become a favourite resort for the public. There was no dearth of libraries in Madras—the Connemara and the Adyar library were first class libraries—but the Madras University has thought fit to further the cause of adult education as well. Education in colleges were limited to a fixed period, but adult education had no such limit. Colleges have no magic. They cannot transmute base metal into gold. They organise and co-ordinate the world's offerings in learning and in wisdom. Those offerings were everywhere. To one unable to go to college they are yet at hand and available in the library. Education has no beginning or end. Libraries are continuation classes where one may continue to learn until the time for physical dissolution.

Sir, I should, therefore, like to ask the Calcutta University to broaden its outlook, to extend its vision beyond its narrow limit, and invite readers outside its pale to take full advantage of its offerings and thereby help the fulfilment of its high ideal of advancement of learning and earn the everlasting gratitude of the reading public.

With these few words, I commend my motion to the acceptance of the House.

Sir JADUNATH SARKAR: Mr. President, Sir, I beg to oppose the motion of the erudite Rai Mahasai in both its parts. First of all he wants the Calcutta University to open a class for training librarians. Has he calculated the cost? If a teacher of this subject is to do any real work, he must be a man trained in library management and practice preferably in America or the Continent, and such a teacher must draw a very high salary. A less qualified teacher would be worse than useless. Then, we are not assured of having a regular supply of students without which a particular department cannot be kept alive year after year, and I am sure nobody who has a reasonable estimate of the present position of the Calcutta University before his mind's eye will demand that the Calcutta University should now go to the expense of opening a new department on the problematic chance of having students year after year.

As for the second part of the motion, *viz.*, that the library of the University should be thrown open to the public, it is still more open to objection. I have some experience of the subject. I have visited and examined the libraries of most of the universities in India, and for two years I acted as professor in charge of the library of one of the unitary universities of our country. A University library exists first and foremost for the benefit of the local students and teachers, and this principle, I am sure, will not be denied by the learned Rai Mahasai. The library in Bansberia should primarily cater to the needs of the public of Bansberia and not those of the Banstala burning *ghat* colony. Now, the Calcutta University library must first and foremost supply the needs of the teachers and students in Calcutta. So much is this principle recognised that if the learned mover of this motion were to consult the regulations of the Calcutta University, he would find there a rule that the Calcutta University library could be used by the resident Fellows only and not by all of its hundred Fellows; non-resident Fellows, even though they are Fellows, are not entitled to take out books from the library, nor are the non-resident registered graduates entitled to take out books. Now what does that rule prove? I think it proves that the library exists primarily for the benefit of the teachers engaged in teaching in Calcutta and their students. If the learned Rai Mahasai pays a visit any day to the Durbhanga Library Building, he will find that all the tables in the long reading room on the first floor are full of students, one group coming after another, and there is constantly such a crowd there that even the resident Fellows find difficulty in getting seats there. If this principle be departed from, and the outside public is allowed admission to the library, where are books enough to go round among them? Therefore, if books are to be issued to these people, it must be done at the cost of the students for whose benefit the library was primarily established. Then again, in a great capital like Calcutta, there ought to be general public libraries other than educational libraries like that

of the Calcutta University. I may mention that the Calcutta University library is one of the finest in India and possesses some very rare and priceless books. The general public, for whose benefit the learned mover was so eloquent, ought to go to the Imperial Library, and the best solution of the problem which has been emphasised by the Rai Mahasai would be for this Council to grant several thousands of rupees to the Government of India, buy the Imperial Library, and provincialise it, and afterwards annually support it, so that the Imperial Library may purchase more books and the public may go and read there. As for the students and teachers of the Calcutta University, the University library is just enough for their needs.

MUNINDRA DEB RAI MAHASAI: May I inquire if Sir Jadunath has visited the Madras University Library?

Sir JADUNATH SARKAR: Yes.

Mr. H. R. WILKINSON: After what Sir Jadunath Sarkar has said, there is very little for me to add. I do not know whether the Rai Mahasai is satisfied so far as his proposals regarding the University are concerned——

MUNINDRA DEB RAI MAHASAI: I am not satisfied.

Mr. H. R. WILKINSON: I gather that he also wants Government to spend money on opening classes for the training of librarians. So far as I am aware, there is very little demand from the public for such classes; but the Imperial Library already does train librarians; and a certain amount of training is given in the training colleges for secondary school teachers. This, I am afraid, does not satisfy the requirements of the Rai Mahasai; but it is not a matter in which he can expect Government to anticipate the demand. One cannot help admiring the Rai Mahasai's enthusiasm for his subject and the persistence with which the Rai Mahasai tries to instil it into others, and in theory many of us would agree with him; but as a matter of practical politics, I am afraid it is out of the questions. It is possible that when finances improve, he may have succeeded in creating the demand which will insist on being satisfied. In these circumstances, I hope the Rai Mahasai will not press his motion.

The motion of Munindra Deb Rai Mahasai was then put and lost.

The following motion was called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 5,04,384 under the head '31A—Education (Transferred)—Grant to University—Calcutta University' be reduced by Rs. 100 (to draw attention to the inadequate representation of Muslims in the bodies of the Calcutta University and in the ministerial staff)."

Rai KESHAB CHANDRA BANERJI Bahadur: I beg to move that the demand of Rs. 32,016 under the head "31A—Education (Transferred) —University—Dacca University" be reduced by Re. 1 (to draw the attention of Government to the urgent need for the creation of a Faculty of Medicine in the University of Dacca).

Sir, I feel that in moving this motion at the fag end of the session, I shall be embarrassing the Hon'ble Minister, for he badly needs some respite after the rather heavy strain that has been put on him during the last two months that the Council has been in session. We do not expect a very sympathetic statement from him, which he is not accustomed to make particularly in regard to matters relating to Dacca and its unfortunate inhabitants. Much of the time of the Hon'ble Minister and this Council will be saved if he accepts my proposition straightaway, and agrees to comply with the wishes of the members on this side of the House. Sir, it is a matter which requires no argument to convince those in authority in consideration of the justice of our demand.

Sir, the question which I am privileged to put before the House is one which has formed the subject matter of discussion in the meetings of the Dacca University Court on more than one occasion. On the 29th September, 1923, a resolution was moved and adopted at a meeting of the Court, recommending the creation of a Faculty of Medicine, and the institution of a course for the Bachelor's degree in that Faculty. A similar resolution was adopted by the Court on the 16th September, 1927, and on the 21st November, 1930, the Court appointed a committee of 9 members to explore the possibilities and suggest ways and means for giving effect to the proposal. The question has been before Government for nearly a decade, and in the Education Department's letter No. 1447Edn., dated the 12th May, 1925, the opinion of Government was communicated to the Registrar of the University that the time had not yet come to consider the establishment of a medical college at Dacca, as a department of the University. The same opinion was reiterated in that department letter No. 246T.Edn., dated the 24th April, 1928. It might be that the situation had not changed then, but I may say without any fear of contradiction that the position has certainly changed during the past quinquennium, and I think the present situation demands that the question should be given a more sympathetic consideration than has been the case hitherto.

Sir, there are at present two medical colleges in Bengal, the Calcutta Medical College and the Belgatchia Medical College, and both are situated in this great city; but there is none in Eastern or Northern Bengal for giving higher medical training to the boys of those centres. Sir, if a Faculty of Medicine is created and a course instituted for the Bachelor's Degree in that Faculty in connection with the University of Dacca, it will be of great advantage to, and provide ample facilities for, the people of Eastern and Northern Bengal to have their sons trained

in Medicine, a privilege to which they have been looking forward for a pretty long time.

Sir, there are at present nine medical schools in Bengal, the Campbell Medical School, the Calcutta Medical School, the Dacca Medical School, the Lytton Medical School, Mymensingh, the Ronaldshay Medical School, Burdwan, the Jalpaiguri Medical School, the Chittagong Medical School, the National Medical Institute, Calcutta, and the Medical School at Bankura. Besides these, there is one non-Government medical school in Calcutta. It will perhaps be recognised by all that a medical college, if established in Dacca in connection with the University, will help the poorer Muhammadan students more than anybody else, and I hope the Hon'ble Minister will look into the question and give a sympathetic reply to my motion. Sir, in these days of unemployment, it has become very difficult for our young men to secure employment anywhere. These medical schools in Calcutta are turning out hundreds of young men every year, but the number of students who come from Dacca and pass out of the Medical Colleges in Calcutta is very small, and they get very few facilities for being trained in medicine here mainly on account of poverty and the inconvenience of having to come to Calcutta where living is very costly.

Sir, Government are not unaware of the public benefactions to the Dacca Medical School. You, Sir, are one of those in whose name a ward has been established. While the Government are paying the recurring cost, the donations received from the charitably-disposed people of Dacca are not inconsiderable In pressing my motion to the attention of Government, I do not mean to say that a medical college should be established at Dacca immediately, for, I am not so blind as to shut my eyes to the realities of the present situation. What I want is a mere indication of the desire of Government to take a sympathetic view of the question and consider the matter when the economic condition of Government improves.

With these words, I commend my motion to the acceptance of the House.

Rai Bahadur SATYENDRA KUMAR DAS: Mr. President, Sir, I rise in support of the motion which has been moved by my friend Rai Bahadur Keshab Chandra Banerji. I think it is my duty as a representative of the people of the Dacca constituency to lend my unstinted support to such a motion which is undoubtedly so important to us. In these days of financial stringency if the Government are unable to accept the demand made, and if the same object can be achieved with less expense, why should we not adopt it? I am afraid I cannot add to my friend's argument; in case the Government are unable to find their way in creating a Faculty of Medicine in Dacca University at once, I would like to suggest, as an alternative, the creation of an examination centre

at Dacca, for the examination of the Government Medical School students of Dacca, Mymensingh and Chittagong, from the next year. I communicated to the Government Medical School authorities of those places in the matter, and I am glad to say, that they agreed to the proposed change, rather I should say that they requested me to move this matter in the House, as Dacca to them is not only suitable in view of the distance, but also less expensive than Calcutta. Sir, for State Medical Faculty, there is a four years' course and the students get the diploma of L.M.F. of Bengal after successfully coming out of this four years' course. During these four years, they are to come to Calcutta thrice if not more and they have got to reside in Calcutta for about two months each time for their examination purposes. Sir, you can imagine what difficulties, these poor *mufassal* students have to face to stay such a long period at a stretch in Calcutta on such occasions. Not only is it inconvenient for them to come and go back, but it is also very expensive——

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I happen to come also from Dacca and I know the subject on which he is speaking. I do not think he should move this motion now; it is a matter for the Medical Department.

Rai Bahadur SATYENDRA KUMAR DAS: I submit that the Hon'ble Minister is not in touch with the Medical Department, but I want to lay before you the difficulties of the students of Dacca, who come to Calcutta. If the Hon'ble Minister does not find his way to say anything, with regard to my suggestion, I am undone.

Rai Dr. HARIDHAN DUTT Bahadur: In rising to say a few words about this motion, I would at once tell you that I am not opposed to it. At the same time I feel it my duty to point out that while making this enormous demand for the establishment of a second medical college at Dacca within the province of Bengal, my friend has not got an adequate idea of what an establishment of a medical college means. A college like the Calcutta Medical College cannot be contemplated at the present moment, when the Government of Bengal hardly have even one-tenth of the funds necessary for the establishment of another medical college in the province. My friend, I presume, wants a medical college at the cost of Government. Might I point out that Calcutta had its second medical college not with Government money. Who supplied the funds? For 35 years the Indian medical practitioners of this city organised themselves, and raised a large amount of money and established a nucleus of a medical college and then subsequently Government came forward with its aid, and the Carmichael Medical College was established at Belgatchia. If my friend will look into the history of that college, he will find that in the beginning it was a very modest

school, and doing very useful work. The medical men of Calcutta most unselfishly did their bit in this connection. I do not know much about Dacca; but is my friend in a position to tell this Council that there is in Dacca, especially among the medical men there, much enthusiasm about the establishment of a medical college? If that be so, so far as I am concerned, I shall be very pleased to lend my support to his motion.

5-15 p.m.

Then, Sir, if you look to the requirements of the country, it will be seen that against a large proportion of our people, there is very low proportion of qualified medical men to look after their medical needs. Therefore, it is admitted by all that a larger number of medical men is required for Bengal. But may I ask the mover of this motion to consider what class of medical men is wanted, whether we want men like Sir Nilratan Sircar or medical men passed out of schools? Surely we require medical men who will gladly go into the *mufassal* and into villages and establish themselves there. The requirements of the country will be met if we have a large number of qualified medical men practising in remote places where Rs. 100 to Rs. 200 per month as income will keep them satisfied. Sir, our needs can be suitably met by medical men who would agree to go out into the villages and will have no big ambition like that of men coming out from the medical colleges and universities. If the country requires at the present moment extension of medical facilities, certainly that facility ought to be in the shape of medical schools and not colleges. My friend has already told us that there are nine medical schools in Bengal. So I would ask my friends to have patience. Government have realised the necessity of extending medical schools all over the province and they are pushing that policy. In Calcutta there are already two and in most of the important districts medical schools have been established within the last few years. I believe, Sir, the time has not yet come when we should see a medical college at Dacca, but certainly the necessity has come for more schools which will produce medical men who will have less ambition and who will go into the villages and set up practice there and will be satisfied with a humble pittance.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I have full sympathy with the motion of my friend, Rai Keshab Chandra Banerji Bahadur, but I think this is not the time for starting a medical faculty at Dacca when the Government is faced with a deficit, and when the Dacca University itself has to try for all their worth to make both ends meet. Under these circumstances, I think this matter must wait. But at the same time I wish to point out one thing in answer to what has been said by Rai Bahadur Dr. Dutt. It is perfectly true that for the establishment of a medical college we want a lot of money, and the

Rai Bahadur cited the example of the Belgatchia College and asked us to provide funds to gradually raise a medical school to the standard of a medical college. Sir, Rai Keshab Chandra Banerji Bahadur, the mover, and Rai Satyendra Kumar Das Bahadur who supported him, who are both rich men, will bear this in mind, lay it on their hearts and in the light of this observation they will consider the fact that since the establishment of the Dacca University, that unfortunate ill-starred University has not had much in the way of public donations to assist its funds. This is a disgrace which, it is up to the people of East Bengal to remove, and I hope that the people of East Bengal will take that amount of interest in the Dacca University that they ought to take. Money ought to be forthcoming for a medical college or any other thing in that University which has been kept in a stunted condition on account of want of funds. In this connection, however, I want to point out one thing. It does not lie in the mouth of the Government to fling in the face of the Dacca University a statement like that of Rai Bahadur Dr. Dutt; because the Dacca University was started with a promise of funds which would have been perfectly adequate for a full-fledged University. It began with a definite promise of having a faculty of medicine and a faculty of agriculture, and although the funds were not adequate for all those purposes, there were in the hands of the Government of Bengal funds which might have formed the nucleus of great institutions. A sum of Rs. 60,00,000 was accumulated out of the earmarked grants by the Government of India. When the Dacca University was started, it started with a definite assurance that it will have Rs. 60,00,000 and an annual recurring grant of Rs. 7,50,000 that was the basis on which the Dacca University was started. Very soon after the starting of the Dacca University, the Government of Bengal, then presided over in its Education Department at the time by an astute lawyer, discovered that under the Meston Settlement this Rs. 60,00,000 earmarked by the Government of India belonged to the Government of Bengal; and, faced with a huge deficit at that time, the Bengal Government immediately misappropriated Rs. 50,00,000 out of that amount. At the same time, the Government and His Excellency the Chancellor repeatedly recognised the moral claim of the Dacca University to the balance of the Rs. 60,00,000. Sir, that is a fact well worth remembering now. I am now sure that the legal position of the Government was quite right, but there can be no question that this taking away of Rs. 50,00,000 or more from the Dacca University immediately had a crippling effect on the University and subsequently it had a devitalising effect on the University machinery. This was a wrong to the University from the moral point of view for which there was absolutely no justification. I say, therefore, that the Government may plead want of funds, may plead economic distress or any other thing, but the one thing they cannot say is "you go and find the money yourselves."

Dr. AMULYA RATAN GHOSE: Sir, it is so difficult nowadays to support Rai Bahadurs. But as the proposal is a sound one and at the same time it is a long-felt necessity of our province, I rise to support it. We know that there is a great rush for admission into the Calcutta Medical College and the Carmichael Medical College. They have experienced a great difficulty, as seats are very limited in these colleges and the demand for admission is numerous. If a faculty of medicine is created at Dacca, it will certainly reduce much of the tension that is now being felt in the medical colleges at Calcutta. At the same time the people of East Bengal should contribute a very large proportion of costs towards the medical education of the province. Their children will also have the comfort, the convenience of having a medical college near their homes and that is a convenience which cannot be gainsaid. It has been said that in these days of economic distress, it is really a very big problem to have such colleges started. But my proposal is somewhat different. We have got our example of the Patna Medical College. It was a school at first, but afterwards it was raised to a medical college. In the same way the Dacca Medical School can be promoted into the status of a medical college which is so much felt necessary by the people of this province. I will say that this necessity is not only for the people of East Bengal, but it is also in the interest of West Bengal, because the rush of students from East Bengal is so great in Calcutta, and that rush will be much lessened if a suitable opening is made in the east side of the province. Under these circumstances, Sir, I wholeheartedly support the motion of Rai Keshab Chandra Banerji Bahadur.

Mr. P. N. GUHA: Sir, it would be interesting to know from my friend Rai Keshab Chandra Banerji Bahadur if the want of a medical college at Dacca is creating any inconvenience to the people of the eastern side of the province. Sir, I had the privilege of working as a member of the Calcutta Medical College Admission Committee for four years and my experience is that the East Bengal students are never discouraged in getting their admission to the Calcutta Medical College. The Dacca University itself enjoys the privilege of nominating a few candidates and boys are admitted strictly according to the merit. The two Calcutta colleges,—the Government one and the Carmichael College, turn out about 100 medical graduates every year and I think that the number is not inadequate for Bengal.

Mr. NARENDRA KUMAR BASU: How many are turned out for want of accommodation?

Mr. P. N. GUHA: The number of applications received is about 400 every year and the number admitted is about 75. I am coming to that

point. Sir, the main issue is if the students desirous of receiving medical education should be encouraged to do so by all means without taking the question of their future career into consideration.

Sir, when asked about his future plan, the invariable reply of a student seeking admission is that his village being a hot bed of malaria, he will go and practise there after getting his degree, but any one whom it may concern may take it that the poor villagers never see the passed students of the Medical College in their midst. It is very well to say that 90 *per cent.* of the villages require medical help and efforts should be made to get out as many medical men as possible, but, Sir, our practical experience shows that not to speak of the medical graduates, even the passed students of the medical schools do not care to go to villages. Almost all the passed students try to enter the Government service and failing that, they turn their attention to the Calcutta Corporation and other local bodies. Lastly they set up practice in towns, but I do not know of any who has set up his practice in a village.

5-30 p.m.

Sir, the point that I want to make out is that there is no need for the establishment of a medical college at Dacca; on the contrary, we should divert our attention to the problem of the livelihood of the medical graduates. Sir, in our younger days the idea prevailed that a B Course graduate could secure jobs more easily and a lot of students went up for the B Course. Then again rush was made for the Science course when the new regulations were introduced in the University, but the question of unemployment has not been solved. Sir, it is a well-known fact that a very large number of our young men have, within the last few years, received electrical and mechanical training both at home and abroad and I know, Sir, the services of a competent mechanical and electrical engineer can be secured for Rs. 75 or Rs. 100 a month. It is for these reasons that I am opposed to the idea of producing more medical graduates till we can be sure that they will go to the villages to practise.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I think the House should give the Rai Bahadur credit for bringing forward this motion. In normal times on merits this question would be open to serious doubts as to whether it is advisable to have a medical college at Dacca. But at the present time with a deficit budget of Rs. 2,00,00,000 and a Retrenchment Committee proposed by this House, it appears that the two Rai Bahadurs are generously endowed with the three saintly virtues: faith, hope and charity. To give effect to the proposal, it is necessary that the present existing medical school at Dacca should be converted into a medical college, and a large sum of money will be

necessary to equip the college properly. I have been advised by Government experts on this subject that it would be necessary to have something like Rs. 15,00,000 for capital expenditure and Rs. 5,00,000 for recurring expenditure, if we are to have a medical college at Dacca. Therefore it is obvious that at the present time this proposal is very inopportune. But even if money was available, it is open to serious doubt whether we should have a medical college at Dacca. Rai Bahadur Dr. Haridhan Dutt was the first speaker who warned us against this proposal and some others followed him on the same lines. We cannot ignore the existing fact that those who are qualified and have got the M.B. degree are all very anxious for Government posts or posts in the railways, and their number is much more than what the services can absorb. These men having the degree of M.B. do not want to go and practise in small municipal areas or in the villages. They feel that on account of the money they have spent on their education and the time they have spent and the high qualifications they possess, their remuneration should be much more than what an ordinary medical practitioner gets. Therefore they try to secure service under Government or to establish themselves in big towns like Calcutta, Dacca or Howrah. The result is that there is overcrowding of medical men in these few towns. Dr. Dutt is quite correct when he says that what we really want at the present time is that medical men who pass out of medical schools should go out and live in the villages where doctors are not to be found. But a very large number of them love to practise in towns. Mr. P. N. Guha thinks that it is difficult to send these doctors to the villages, but I beg to differ from him.

Mr. P. N. GUHA: I do not find any difficulty at all.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am very sorry, I misquoted him. These men should go out and live in the villages and try to earn a living there. There is a vast field for them. It should be our aim not to increase the number of medical colleges in Bengal. There are now two colleges turning out annually a large number of M.B's. I fully agree with Mr. P. N. Guha when he says that we must very carefully examine the proposal for the establishment of another college.

I do not think any useful purpose will be served by raising the old hackneyed question of misappropriation of the Government of India's grants to the Dacca University. This question has been discussed in this House more than once and various members who were in charge of Education portfolio made it quite clear that Government did not misappropriate this money and the money has been paid to the Dacca University. Besides this, Government have promised that whenever the Dacca University comes up with good schemes, and if funds are available, they will get money from Government.

There is another thing to which I would like to draw the attention of Dr. Naresh Chandra Sen Gupta and that is that at the present time Government are contributing something like 60 *per cent.* of the expenditure on the Dacca University out of their funds. That is a very important fact because, as far as higher education is concerned, especially University education, it is expected that the public should contribute a major portion and Government should give them aid. I entirely agree with the suggestion made by Dr. Naresh Chandra Sen Gupta and appeal to the two Rai Bahadurs who command great influence (one of them is considered to be a multi-millionaire of Dacca) to set an example by making endowments to the Dacca University and when the Dacca University has got sufficient funds, it will be time then to come up with a proposal like this. It is an admitted fact that any stick is good enough to beat the Government with, but I am afraid that the stick that the Rai Bahadur has got hold of is so rotten that at the first touch it breaks and crumbles to pieces. Therefore I hope that the Rai Bahadur will withdraw his motion.

The motion of Rai Keshab Chandra Banerji Bahadur was then put and lost.

The following motions were called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 7,126 under the head '31A—Education (Transferred)—University—Government Arts Colleges—Purchase of books, etc.' be reduced by Rs. 101 (inadequacy of the grant and the necessity of appointing trained librarians)."

Mr. A. K. FAZL-UL HUQ: "That the demand of Rs. 12,87,000 under the head '31A—Education (Transferred)—Government Arts Colleges' be reduced by Rs. 110 (to raise a discussion on the urgent need of giving more money to the Islamia College)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 12,87,000 under the head '31A—Education (Transferred)—Government Arts Colleges' be reduced by Rs. 101 (to raise a discussion about the policy of keeping up those Government colleges)."

Mr. SYAMAPROSAD MOOKERJEE: I beg to move that the demand of Rs. 12,87,000 under the head "31A—Education (Transferred)—University—Government Arts Colleges" be reduced by Rs. 100 (in order to discuss the possibility of the deprovincialisation of Government Arts colleges).

The subject matter of this motion is one of considerable importance to the future educational organisation of this province. A few minutes ago when the Hon'ble Minister for Education was replying to the debate

on the last motion, he made some observations which I immediately noted down. He said that the accepted principle now was that so far as higher education was concerned, the people should contribute a substantial sum towards the maintenance of educational institutions and Government should only grant aids. I take it that this educational principle which the Education Minister has just enunciated will be applied to the motion which I am moving, and I hope that he will be the first person to get up and accept my suggestion. My motion contemplates the possibility of making over the present Government Arts colleges to different public bodies, who will be responsible for maintaining them. I think, Sir, the time has now come when Government should no longer make itself responsible for the direct maintenance of educational institutions unless such responsibility can be justified on two main grounds.

In the first place, if such educational institutions are established for the purpose of serving as model institutions, I am quite prepared to say that there is some justification for the continuance of the present policy. Secondly, if such institutions are established for the purpose of encouraging education among a particular class of people or of encouraging particular types of culture and learning, there also would be some justification for the continuance of the present policy. Now I will give one or two concrete illustrations. I shall be the last person to say that we should do away with *tols* or *madrasahs*, or educational institutions for girls or educational institutions for Moslems—of which there is only one in Bengal—which are maintained from out of public funds. Again, educational institutions like the Medical College and medical schools, or the Bengal Engineering College, have to be maintained out of the public funds, but what justification is there for continuing the present policy in regard to Arts colleges generally?

What justification is there in continuing the present policy or spending lakhs and lakhs of rupees every year on the maintenance of educational institutions which admittedly do not serve as model institutions now? In fact, there are institutions which are far better managed than some of these Government colleges. What justification is there for running these colleges when you have other colleges which are already doing the same kind of work? I have got certain figures, Sir, which I should like to place before the House, because I seriously feel that members of this House really do not know what the present situation is. Let us take the Presidency College first. The number of students in the Presidency College at present is 1,000. Now, leaving aside the income from fees, the deficit is about Rs. 4,50,000: it costs Government that sum annually. Take, Sir, side by side another big college in the city—the Scottish Churches College. The number of students there is 1,240, *i.e.*, 240 more than that in the Presidency College, and the deficit is Rs. 1,84,000. If the Hon'ble Minister would

go and take note of public opinion, I do not think he will find much support for the contention that the teaching imparted in the Scottish Churches College is inferior to what is imparted in the Presidency College.

Maulvi SYED MAJID BAKSH: Not in Science.

Mr. SYAMAPROSAD MOOKERJEE: It may have been in Mr. Majid Baksh's time, but it is not so now.

Then take, for instance, the City College. Here the number of students is 1,300 and the deficit comes to about Rs. 84,000. Leaving aside for the time being the colleges in Calcutta, let us just take note of the colleges in *mufassal*. The figures are startling there. At the Hooghly College the number of students is 310 and the deficit is more than Rs. 1,00,000. Sir, you take another illustration which is even more startling. The number of students at the Krishnagar College is 172 and the deficit there is more than Rs. 1,00,000. Take, Sir, another *mufassal* non-Government college—for instance, the Serampore College. The number of students there is 220 and the deficit comes to about Rs. 52,000. Then take another non-Government college, the Edward College at Pabna: the number of students there is 200 and the deficit about Rs. 28,000. It will be seen that although the number of students in these two colleges is larger than that of the Hooghly and Krishnagar Colleges, the deficit in the latter colleges is more than double. Then, Sir, take a big private college like the Carmichael College, Rangpur: the number of students in this college is 500 and the deficit Rs. 57,000. If we turn again to a Government college, for example, the Chittagong College, where the number of students has diminished as a result of the present movement, we find the number of students 390 and the deficit Rs. 1,27,000. Then, Sir, I come to the Comilla College, which is one of the biggest private colleges in the *mufassal*; the number of students there is 700 and the deficit comes up to about Rs. 34,760. I know the stock reply which the Hon'ble Minister will give, and that is that in calculating the cost of maintenance of Government colleges you take into account the number of staff that may be working during a particular session. For example, Mr. X who is a professor of the Hooghly College gets Rs. 1,250: that increases the average cost of that college. If you transfer that officer and place a junior officer on Rs. 250 in his place, that will bring down the cost. But that does not meet our case. This Mr. X, unless he dies or retires, would be sent to another college where the expenditure would certainly increase proportionately. The point is that if we had sufficient funds at our disposal, we would certainly not have raised this question for discussion in the House at this stage. But at every stage when the Hon'ble Minister is asked to spend money on particular schemes, the answer generally he gives is that he has no money. Take, Sir, two important illustrations: first, the maintenance

of the private colleges. Now, so far as they are concerned, I know that many of these private colleges are in receipt of recurring grants from Government and they also receive non-recurring grants amounting to Rs. 1,29,000, distributed through the agency of the University. On account of the financial stringency, that grant has been reduced by about 50 *per cent.* during the current year, and next year, so far as I understand, there is a proposal to withhold the grant altogether. Here is a grant of Rs. 1,29,000 which Government is distributing throughout the province—Eastern Bengal and Western Bengal, which is benefiting so many colleges. Now this grant is going to be stopped on account of financial stringency. At the same time the present policy of maintaining these Government colleges at such a considerable cost is being pursued. Take, another example, that about girls' education. Now there are about 44 non-Government schools which provide for instructions to girls. The total grant to these institutions comes up to about Rs. 1,60,000. That is certainly a paltry sum which Government is spending for encouraging non-Government girls schools, and yet the Hon'ble Minister will bear me out when I say that there is a proposal to reduce this grant in the current year on account of financial stringency. Surely, Sir, just as the Hon'ble Minister has shown courage—and if I may add, vision—in not reducing grants to *tols* and *madrasahs*, so I would strongly urge upon him to stop reduction of any grant for the girls' schools.

Now, these are the difficulties that the Hon'ble Minister for Education has to face on account of the financial stringency. And here is a way which we are indicating by which Government ought to save some money which might be redistributed among the educational institutions throughout the province. I would make it perfectly clear that I have no desire to introduce any revolutionary changes all on a sudden. All I want to say is that the Hon'ble Minister should give us an assurance that he will appoint a committee which will go into this very important question. Sir, I know it very well that a matter of this kind cannot possibly be decided on the floor of this House because there are practical difficulties and we shall have to go into details. Let us face the situation and let us examine the details with a view to make it possible to release the bulk of this grant,—if all the colleges cannot be deprovincialised,—at any rate let us start with some, for the benefit of private colleges. With these words, I commend my motion for the acceptance of the House.

Mr. W. C. WORDSWORTH: I associate myself entirely with Mr. Mookerjee. What I have to say I can say from a long experience of college education and also because I have given much thought to this specific topic. Some years ago when I was Director of Public Instruction in this province, I put before the Retrenchment Committee the evidence of the Education Department. It was not my evidence

alone. It was the considered evidence of the senior officers, European and Indian, of the Department, and in that evidence was included a recommendation that Government should consider the deprovincialisation of Government institutions with certain specific exceptions. To avoid misapprehension, I should make it clear that our recommendations for retrenchment were not to be interpreted as recommendations for reduction of the money spent on education in the province. They proposed certain modifications which would enable the transfer of expenditure from directions where it was less wanted to directions where it would do more good. Now, the reasons why we recommended this deprovincialisation, which the Retrenchment Committee was inclined to consider drastic, were briefly what Mr. Mookerjee has said. Government undertook the responsibility for the building, equipment and direct maintenance of a large number of schools and colleges at a time when it was necessary for Government to be a pioneer in the work of education. But that necessity has disappeared, and also Government's energy as a pioneer in educational work has disappeared. Private enterprise has now so outpaced Government enterprise that, I should say at a rough estimate it now does more than 80 *per cent.* of the educational work of this province. Then again there is the consideration on which Mr. Mookerjee properly laid stress, that it is unworthy of Government to be directly responsible for the management of educational institutions unless those educational institutions are of the best. Some of the Government institutions in this province are among the very best we have. But it would be nonsensical to say that all Government institutions, schools and colleges, are superior to all others. In my opinion, it is not only illogical—that does not matter much—but it is detrimental to have two sets of institutions doing the same work for the same purpose and generally under the same conditions, except that in one, the smaller set, the teachers are paid directly from Government revenues and in the other part of their pay may come indirectly through Government grants. Mr. Mookerjee has given us some figures which show in each case the proportion between the money given and the work done.

In my opinion, the inevitable development of the Education Department in this country is towards the situation that we are accustomed to in Britain and in other countries of the West, where the Education Department does not accept direct responsibility for managing and maintaining educational institutions, but accepts the responsibility for inspecting, directing, supervising, legislating and assisting local enterprise by grants. In this province I think we shall have made a great advance when Government has freed itself from direct responsibility for a large number of educational institutions and confines itself to the activities I have just mentioned, working through a staff of inspectors the services of some of whom could from time to time be placed at the disposal of the University which after all is the body responsible for

the direction of our higher education. If Government could assist in that way, there would, I think, be some relief from the strain that seems always to have characterized relations between the Government and the University, a strain that has greatly hampered education in Bengal.

So my proposal is that Government institutions be handed over to competent committees of men prepared to take the work up and enthusiastic for education. They would be assisted by grants to do the work properly and the conditions which they should observe could be laid down in a sort of contract between Government and themselves in return for the annual but at the same time perpetual grant that they would receive. I think these committees would serve colleges as well as Government control. Perhaps better. They could, for example, work entirely according to educational traditions and principles. This would mean a difference from the present state of affairs in a hundred ways. It is very difficult to run Government colleges under a system which, to take one example, permits a teacher to take leave in the middle of a term, transfers a teacher from one college to another, without any reference to either institution or himself, deals with an incompetent or indifferent teacher by moving him frequently from college to college so that he produces detriment wherever he goes. In fact, under such a committee of men responsible only for their own college, there would be the beginning of an escape, perhaps an entire escape, from administration to profession. There is, however, one argument with which I know the department would have to deal. That is the superior dignity of being in Government employment. I wish to be very discreet and in my circumstances discretion means suppression rather than expression. I shall not say a word more than is necessary for the argument, but I must say this, that we have seen in our time that Principals of Government colleges can be dealt with harshly, even savagely, if they show any reluctance to adjust themselves as automata to a system, whether administrative or political. The only name I wish to mention is the name of Mr. H. R. James, who after a life devoted to the cause of education in Bengal left this country in humiliation because he insisted as Principal in thinking for himself about the internal conduct of his own institution. More recently other men have suffered because of their uneasiness in adjusting themselves to the political circumstances in which nowadays all work in Bengal is carried on, a system in which political considerations often override educational. As to what education should be, I would borrow some words from Charles Lamb. He used them in reference to the plays of Shakespeare, but it is not unfair to transfer them into a definition of education: "an enricher of the fancy, a strengthener of virtue, a withdrawing from all selfish and mercenary thoughts, a lesson of all sweet and honourable thoughts and actions, to teach you courtesy, benignity, generosity, humanity."

Sir, I invite members to look at our agenda year by year, and ask themselves how much this Council contributes towards making education

an enricher of the fancy, a strengthener of virtue, a trainer in courtesy, benignity and humanity. We are too often influenced by considerations of race and party. The Minister is not to blame for that. By the constitution he is "popular" and "responsible"—two splendid adjectives, but when you look closely at their meaning, they are seen to mean only that if a Minister annoys any one in this House, the person annoyed tries his best to get him out of office and put another in his place. In such circumstances, how can a Minister be courageous, generous and far-sighted about education? How can a Minister bring in a better standard of work, a nobler vision? Our motions on the agenda paper bring no glow to the heart and no dignity to the mind. That is why I agree with Mr. Mookerjee in thinking that our colleges would fare very much better as educational institutions, and education in this province would be a very much better thing, if those institutions which are now administered almost mechanically as part of a huge system were each put under a small body of men able to take a lofty view of their responsibilities, and not eternally harassed to meet the wishes of this or that individual or group, in short, not open to the influence of other than educational considerations.

Mr. SHANTI SHEKHARESWAR RAY: Sir, it is with great trepidation that I rise to oppose the views of such eminent educationists as Mr. Wordsworth and Mr. Syamaprosad Mookerjee. I have not been able to follow exactly what the intention of Mr. Mookerjee is in moving this motion. Does he want that Government should spend less on higher education by closing down the colleges, or that he means that the funds should be diverted to the Calcutta University or that Government should divert these funds in aiding private institutions? If it is the intention of Mr. Mookerjee that the money that the Government might save by closing down the colleges should be made over to the Calcutta University to help that body to tide over the present difficulties, I should strongly object to such a suggestion. Sir, coming from a *mufassal* district, I feel that we should not concentrate all attention to Calcutta but should see that properly managed institutions are also established in different parts of the province. The suggestion to close down the Rajshahi Government College, for instance, would be received with great disapproval and dissatisfaction throughout North Bengal. Sir, we are looking forward to the day when the Rajshahi College will be developed into a full-fledged University with additional branches of education.

Mr. B. C. CHATTERJEE: Then you are supporting the motion.

Mr. SHANTI SHEKHARESWAR RAY: No. I am opposing the motion. Then, of course, I think there is similar feeling in other parts of the province. I think very few people will agree with the idea that the Presidency College should be closed down.

Mr. SYAMAPROSAD MOOKERJEE: I am misunderstood.

Mr. SHANTI SHEKHARESWAR RAY: I am told that Mr. Mookerjee does not want that. May I ask him who is going to pay for these institutions? At present they are being run as deficit institutions. It is a helpful Government that is coming forward to find the money; and then if the Government withhold their help, who is going to find the money for these institutions? Then, Sir, there is another aspect of the question. There are a large number of professors who are members of the Indian Educational Service; what are you going to do with them if you close down the Government institutions? They are Government servants, I believe, and they cannot be taken into private institutions without their consent. Then, the third aspect of the question as it appears to me is that in certain quarters there may be some grievances against the administration of these institutions. If it is so, it is only proper and fair that the matter should be brought up in a straightforward way. If it is the allegation against the Education Department that their administration of the different colleges is not sound, that their relation with the Government professors is not what it should be, the proper course would be to bring that up in the proper way and not to try to attain that object indirectly in this way. It may be that I have misunderstood Mr. Mookerjee's point of view, but in the light of what I understand it, I think that the suggestion is a very revolutionary one. Though I am not a great educationist, I have been connected with the University as an elected member of the Senate for 12 years and I can say certainly that Government professors will not also welcome the idea.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-25 p.m.]

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am afraid there is a lot of confusion and misapprehension and a lot of extraneous arguments have been brought forward with regard to this motion. I may say that it is a question which has been under consideration for a long time. But in view of the request of Mr. Syamaprosad Mookerjee and other members of this House, I am prepared to reconsider the question and consult unofficially prominent educationists in the province, and I would like to point out that within the last five years, the Presidency College secured 22 appointments in Bengal Civil Service and the Scottish Churches College 8 appointments. We cannot ignore the question that you cannot maintain these colleges; if they were handed over to a committee, it is doubtful if localities like Hooghly, Krishnagar and other places, could maintain a college.

Mr. Wordsworth has said that it is possible to have in the *mufassal* a committee of competent men who could devote all their time to education. This may be an ideal, but I doubt very much if it is a practical proposition. As regards the maintenance of discipline, Government have

set the standard to aided schools and colleges and we think that Government colleges and schools are necessary for the maintenance of the standard.

The motion of Mr. Syamaprosad Mookerjee was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 1,07,79,000 be granted for expenditure under the head "31—Education (Transferred)" was then put and agreed to.

The following motions under the head "31—Education (Transferred)" were not called owing to the expiry of the time-limit:—

Mr. SARAT KUMAR ROY: "That the demand of Rs. 12,87,000 under the head '31A—Education (Transferred)—University—Government Arts Colleges' be reduced by Re. 1 (to rise a discussion on the Kumar Basanta Kumar Ray of Dighapatiya Foundation for starting agricultural classes of high standard in connection with the Rajshahi College and on the policy of the Government regarding the same)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 12,87,000 under the head '31A--Education (Transferred)--University—Government Arts Colleges' be reduced by Re. 1 (to raise a discussion as to whether there is any more necessity for continuing the Bethune College in view of the fact that the female students are now reading in other colleges in Calcutta)."

Babu HARIBANSA ROY: "That the demand of Rs. 12,87,000 under the head '31A—Education—(Transferred)—University—Government Arts Colleges' be reduced by Re. 1 (to raise a discussion on the present management of the Presidency College. The action of the Government in raising the tuition fees of the said college)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 12,87,000 under the head '31A—Education (Transferred)—University—Government Arts Colleges' be reduced by Re. 1 (number of seats at present in the Chittagong College are quite insufficient to meet the demand)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 3,32,000 under the head '31A—Education (Transferred)—Grant to non-Government Arts Colleges' be reduced by Rs. 101 (to raise a discussion about the principles upon which such grants are made)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 3,32,000 under the head '31A—Education (Transferred)—Grants to non-Government Colleges' be reduced by Rs. 101 (to raise a discussion about the policy and principle of the grants)."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 3,32,000 under the head '31A—Education (Transferred)—University —Grants to non-Government Arts Colleges' be reduced by Rs. 100 (in order to discuss the inadequacy of the grant to non-Government Arts colleges)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 3,32,000 under the head '3A—Education (Transferred)—University —Grants to non-Government Arts Colleges' be reduced by Re. 1 (to draw attention of the Government to the fact that the grant-in-aid conferred on the Sirajganj Intermediate College for Muhammadans is quite insufficient and that it should be increased)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 3,32,000 under the head '31A—Education (Transferred)—University —Grants to non-Government Arts Colleges' be reduced by Re. 1 (to draw attention to the fact that no money has yet been sanctioned for capital expenditure of the Feni First Grade College in the district of Noakhali)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 81,500 under the head '31A—Education (Transferred)—University —Training Colleges for teachers' be reduced by Re. 1 (to draw the attention of the Government that the claims of the students of the backward classes for admission into this college have been ignored and to suggest that a proper direction be given to the authorities in this matter)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 3,17,000 under the head '31A—Education (Transferred)—Government Professional Colleges' be reduced by Re. 1 (disadvantages of the teachers belonging to the depressed classes in getting admission)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 10,11,680 under the head '31B—Education (Transferred)—Secondary —Pay of officers' be reduced by Rs. 500 (to impress upon the Government the urgent need of establishing a high school for the education of Muslim girls in Calcutta)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 12,61,000 under the head '31B—Education (Transferred)—Secondary—Government secondary schools' be reduced by Rs. 2,64,000."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 12,61,000 under the head '31B—Education (Transferred)—Government Secondary Schools' be reduced by Rs. 100 (to raise a discussion on the excessive rate of school fee specially in the Government high schools)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 12,61,000 under the head '31B—Education (Transferred)—Government Secondary Schools' be reduced by Rs. 10 (to urge that Muslim mistresses be appointed in the Khastagir's Girls' H. E. School for the Muhammadan students of the school)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 13,11,000 under the head '31B—Education (Transferred)—Secondary—Direct grant to non-Government Secondary Schools' be reduced by Rs. 1,000 (to criticise the reduction of grants to non-Government secondary schools)."

Mr. S. M. BOSE: "That the demand of Rs. 13,11,000 under the head '31B—Education (Transferred)—Secondary—Direct grants to non-Government Secondary Schools' be reduced by Rs. 101 (to call attention to the cut of Rs. 58,000 in this grant, which will operate harshly on such secondary schools)."

Maulvi ABUL KASEM: "That the demand of Rs. 13,11,000 under the head '31B—Education (Transferred)—Secondary—Direct grants to non-Government Secondary Schools' be reduced by Rs. 100 (to draw attention to the defective system of distributing grants-in-aid to the high schools)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 13,11,000 under the head '31B—Education (Transferred)—Direct grant to non-Government Secondary Schools' be reduced by Re. 1 (to discuss the policy of the Government with respect to grant-in-aid and capital grants to high English schools maintained by the depressed classes such as Boultali High English School and Chandkali High English School in the districts of Faridpur and Bakarganj, respectively)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 13,11,000 under the head '31B—Education (Transferred)—Direct grant to non-Government Secondary Schools' be reduced by Re. 1 (to draw the attention of the Government to the fact that no grant-in-aid at present is being conferred on the Banigram and Abutarab High English Schools)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 25,72,000 under the head '31B—Education—Government and non-Government Secondary Schools' be reduced by Rs. 72,000."

Babu SUK LAL NAG: "That the demand of Rs. 25,72,000 under the head '31B—Education (Transferred)—Secondary' be reduced by Rs. 500 (to criticise the present policy of the Government in the matter

of distributing aids inequitably to the non-Government secondary schools and in the selection of text-books without looking to the financial condition of the people of the country)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 25,72,000 under the head '31B—Education (Transferred)—Secondary' be reduced by Rs. 100 (to draw attention to the fact that the general education in secondary schools is not satisfactory)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 25,72,000 under the head '31B—Education (Transferred)—Secondary' be reduced by Rs. 100 (to draw attention to the need of a high English school for the education of Muslim girls in the city of Calcutta and giving adequate aid to the Sakhawat Memorial Girls' School)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 25,72,000 under the head '31B—Education (Transferred)—Secondary' be reduced by Rs. 10 (to protest against the apathy of the department to provide a high English school in Calcutta for the education of Muslim girls)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 25,72,000 under the head '31B—Education (Transferred)—Secondary' be reduced by Re. 1 (to protest against the absence of a high class girls' school in Bally and Salkia in the district of Howrah)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 8,206 under the head '31C—Education (Transferred)—Government Primary Schools' be refused)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 3,74,500 under the head '31C—Education (Transferred)—Primary—Direct grants to non-Government Primary Schools' be reduced by Rs. 1,000 [failure to give effect to Bengal (Rural) Primary Education Act, 1931]."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 3,74,500 under the head '31C—Education (Transferred)—Primary—Direct grants to non-Government Primary Schools' be reduced by Rs. 100 (to criticise the policy of the Government in not paying any grant to the primary schools of depressed class boys under the management of the Hindu Relief Society and other public bodies)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 22,25,000 under the head '31C—Education (Transferred)—Primary—Grants to local bodies for primary education' be reduced by Rs. 100 (insufficiency of the fund allotted and indifference of Government about the grievances of the primary school teachers)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 22,25,000 under the head '31C—Education (Transferred)—Primary—Grants to Local Bodies for Primary Education' be reduced by Rs. 100 (to emphasise the necessity of giving effect to the Primary Education Act without further delay)."

Maulvi NURAL ABSAR CHOUDHURY: "That the demand of Rs. 22,25,000 under the head '31C—Education—Primary—Grants to Local Bodies for Primary Education' be reduced by Re. 1 (to raise a discussion on the failure of Government to sanction the scheme submitted by the Chittagong Municipality for free primary education for girls on an improved scale and to make it compulsory after the amendment of the Act of 1919)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 22,25,000 under the head '31C—Education (Transferred)—Grants to Local Bodies for Primary Education' be reduced by Re. 1 (to discuss the necessity of contributing funds to the 13 primary schools maintained by the Hindu Relief Society for the education of the depressed classes in Calcutta)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be refused."

Maulvi ABUL KASEM: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Rs. 100 (to draw attention to the action of the Education Minister for not putting into operation the Primary Education Act)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Rs. 100 [to disapprove of the delay in enforcing the provisions of the Bengal (Rural) Primary Education Act]."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Rs. 100 [as a disapproval of the failure of the department to enforce the provisions of the Bengal (Rural) Primary Education Act]."

Babu AMULYADHAN RAY: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Rs. 100 (delay in the operation of the Bengal Primary Education Act)."

Dr. AMULYARATAN GHOSE: "That the demand of Rs. 26,08,000 under the head '21C—Education (Transferred)—Primary' be reduced by Rs. 100 (to raise a discussion on the necessity of compulsory primary education in Bengal)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary—Government Primary Schools' be reduced by Rs. 100 (not making any provision for the spread of primary education in rural areas according to the Primary Education Act of 1930)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Rs. 50 [to raise a discussion for not putting into immediate operation the Bengal (Rural) Free Primary Education Act]."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Re. 1 (to raise a discussion on the failure of the Government to give effect to the provisions of the Bengal Primary Education Act)."

Mr. S. M. BOSE: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Re. 1 (to call attention to the inadequacy of the amount and to suggest loan from Government of India for further expansion)."

Mr. S. M. BOSE: "That the demand of Rs. 26,08,000 under the head '31—Education (Transferred)—Primary' be reduced by Re. 1 (to call attention to the necessity of providing further educational facilities for those educationally backward)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary—Government Primary Schools' be reduced by Re. 1 (inadequacy of the grant)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Re. 1 (to raise a discussion on the immediate necessity of bringing the Primary Education Act into force in this province)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Re. 1 (to press that immediate effect should be given to the Compulsory Primary Education Act, specially in Chittagong)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 26,08,000 under the head '31C—Education (Transferred)—Primary' be reduced by Re. 1 (to emphasise the necessity of giving effect to the Rural Primary Education Act, 1930)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 26,08,000 under the head '31C—Education—Primary Schools' be reduced by Re. 1 (to express disapproval of the Government for inability to give effect to the Compulsory Free Primary Education Act)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 4,24,000 under the head '31D—Education (Transferred)—Special Guru-training Schools' be reduced by Re. 1 (to discuss the disadvantages of students belonging to the depressed classes in getting admission to such schools)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 4,24,000 under the head '31D—Education (Transferred)—Guru-training Schools' be reduced by Re. 1 (to draw attention of the Government to the fact that the number of Guru-training schools in Chittagong is only one and that another Guru-training school should be established at Cox's Bazar in Chittagong)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 2,24,000 under head '31—Education (Transferred)—Special—Direct grant to non-Government special schools' be reduced by Re. 1 (to raise a discussion on the question of administration in connection with the affiliation of madrasahs)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 3,14,000 under the head '31D—Education (Transferred)—Special—Direct grant to non-Government special schools' be reduced by Rs. 20,000."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 3,14,000 under the head '31D—Education (Transferred)—Special—Direct grant to non-Government special schools' be reduced by Rs. 10 (to raise a discussion about the paucity of grants for Sanskrit *tols*)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 13,35,000 under the head '31D—Education (Transferred)—Special' be refused."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 13,35,000 under the head '31D—Education—Special' be reduced by Re. 1 (management of the Moslem Female Training School, Ananda Palit Lane, now removed to Circular Road, Calcutta, and for not providing a governing or managing body for the school)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 7,46,000 under the head '31E—Education (Transferred)—General—Inspection—Pay of officers' be reduced by Rs. 21,500."

Reverend B. A. NAG: "That the demand of Rs. 7,46,000 under the head '31E—Education (Transferred)—General—Inspection—Pay of officers' be reduced by Re. 1 (to discuss the unsatisfactory arrangements for inspection on the women's side)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 1,83,500 under the head '31E—Education (Transferred)—General—Inspection—Travelling allowance' be reduced by Rs. 25,000.'"

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 30,300 under the head '31—Education (Transferred)—General—Inspection—Other contingencies—Rents, rates and taxes' be reduced by Rs. 10,000."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 11,51,000 under the head '31E—Education (Transferred)—Inspection' be reduced by Re. 1 (to urge upon the Government the necessity of initiating retrenchment in the inspecting staff)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 11,51,000 under the head of '31E—Education (Transferred)—Inspection' be reduced by Re. 1 (grievances of the depressed classes in the matter of appointment in the inspecting staff)."

Babu AMULYADHAN RAY: "That the demand of Rs. 2,98,000 under the head '31E—Education—(Transferred)—General Scholarships' be reduced by Rs. 100 (want of any provision as to special stipends and scholarships for the students of the backward classes as enumerated on page 189, Part 1, of the Calcutta University Commission Report)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 9,200 under the head '31E—Education (Transferred)—General—Grants for encouragement of literature' be refused."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 21,000 under the head '31E—Education (Transferred)—General—Miscellaneous allowances, honoraria, etc.' be reduced by Re. 1 (to elicit information about the working of medical officers and to criticise why institutions at Howrah are not visited)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 86,500 under the head '31E—Education (Transferred)—General—Grants-in-aid, contributions, etc.' be reduced by Rs. 100 (to raise a discussion on the desirability of making contribution towards the maintenance of the 15 primary schools for the boys of the depressed classes under the management of the Hindu Relief Society)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be refused by Rs. 1,000 (to discuss the education policy and the reduction of grants to non-Government secondary schools and for want of provision for the training of librarians and grants to public libraries)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Rs. 500 (to raise a discussion on the educational policy of Government)."

Babu HEM CHANDRA ROY CHOUDHURI: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Rs. 100 (to raise a discussion about Government's failure to make provision for a girls' high English school at the Noakhali town)."

Maulvi ABUL KASEM: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Rs. 100 (to draw attention to the defective system of recruitment for the teaching staff for University education)."

Babu HARIBANSA ROY: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Rs. 100 (the failure of the Government in reorganising the superior services of the Education Department)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Re. 1 (to draw attention to the insufficiency of the demand)."

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Re. 1 (to discuss the feasibility of reducing the cost of inspection of the secondary and primary schools, the closing of the Government secondary schools and the starting of technical schools in each district with the money so saved)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Re. 1 (to criticise the policy of the Education Department)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Re. 1 (to discuss the present educational policy of the Government)."

Mr. A. F. M. ABDUR-RAHMAN: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Re. 1 (to raise a discussion about the inadequate provision for the education of Moslem girls)."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 1,07,79,000 under the head '31—Education (Transferred)' be reduced by Re. 1 (to raise a discussion on the unsympathetic attitude of Government towards the progress of education among Mussalmans and other backward classes)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,07,79,000 under the head '31—Education—Transferred' be reduced by Re. 1 (to raise a discussion on the inadequate grant to the University and other non-Government schools)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,07,79,000 under the head '31—Education—Transferred' be reduced by Re. 1 (to disapprove the policy of grant for not providing Arabic, Persian and Urdu teachers in Government and aided girls' high schools and colleges in Bengal)."

32—Medical.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 43,49,000 be granted for expenditure under the head "32—Medical."

In moving this demand I may be permitted to mention that it is a matter of great satisfaction to the Ministry to ask the House to vote practically for an undiminished amount for medical relief in Bengal in spite of great financial stringency. The difference between the last year's demand and the next year's is due almost entirely to cut in pay of the establishment and economies with regard to some minor items of expenditure which will not in any way affect the efficiency of the medical institutions or accommodations in hospitals, or the quality of medical relief afforded. The expenditure in this department had increased by about 54 *per cent.* during the last ten years in order to cope, as far as possible, with the increasing demand on our hospitals, especially in Calcutta, to provide for the higher standard of treatment and for training of a larger number of qualified medical men. The budget estimate of the year 1920-21 was Rs. 37,10,000, in the year 1931-32 it was Rs. 56,75,000 and Rs. 51,80,000 next year. It has steadily increased since 1920, but extreme financial stringency has checked further expansion of the activities of the department. Of the total reduction of Rs. 4,95,000, Rs. 1,00,000 was for the Darjeeling

Victoria Hospital, which being just completed, no provision is necessary on this head. Of the balance Rs. 3,95,000, the reduction of Rs. 6,000 under head "Sanctioned annual grants to hospitals" is no real reduction at all, because Rs. 6,000 was provided for in the current year's budget by mistake in entries in the list of expenditure and it is a mere correction. A saving of Rs. 1,750 under sub-head "Bhowanipore Mental Observation Ward" is due mainly to smaller pay of junior officers and measures of economy on some of the small items of expenditure. A saving of Rs. 66,000 has become possible in our contribution towards the cost of Ranchi Mental Hospital because of the smaller estimate made by the Government of Bihar and Orissa who are really responsible for the maintenance of this institution, and for framing its budget. There was room for retrenchment and the expenditure was reduced, but we have not in any way curtailed its activities, or in any way affected the usefulness of the institution. The whole of the balance of Rs. 3,21,000 is due to 10 *per cent.* cut in pay and 15 *per cent.* reduction of grade pay in the case of new entrants and other consequential reductions. The provisions for every other item of expenditure have been maintained as they were without any reduction whatsoever, such as "grant for rural dispensaries, leper asylums, Carmichael Medical College;" besides the capital grants of Rs. 1,00,000 to Jatiya Ayurbijnyan Parishad, Rs. 25,000 to Calcutta Medical School, Rs. 22,000 for the unfiltered water-supply in the Presidency General Hospital and Rs. 1,00,000 for the construction of a medical school in Barisal. This amount is provided for in the Public Works Department budget.

One important criticism that was levelled against this department by Rai Bahadur Dr. Haridhan Dutt was that the accommodation in Calcutta hospitals was inadequate. I can quote certain figures which will conclusively show that it may be a fact that we have not got as many beds as we require. Government have not been neglectful of their duties; as a matter of fact during the last four years the number of beds in Calcutta hospitals has increased by about 595, but the total number of patients have increased by about 6,000. The House will thus realise how difficult it is for us to keep pace with the demand for admission to our hospitals. Calcutta is a cosmopolitan city, and we have to provide accommodation for people not in Calcutta alone, but coming from all parts of the country for treatment to Calcutta, and they all want accommodation in our hospitals here. So I hope the House will realise that our need for a larger number of beds is more serious than it is thought to be, and it can only be met if members of the public would come forward with more generous contribution, or if larger sources of revenue are placed at the disposal of Government. Otherwise, with our present resources, it is hardly possible to undertake work of this kind.

With these few words, I place my demand before this House.

The following motions were called but not moved:—

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 1,53,000 under the head '32A—Medical establishments—Civil Surgeons' be reduced by Rs. 10 (to discuss the advisability of appointing competent and qualified officers preferably Indians in important districts)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 4,33,000 under the head '32A—Medical establishment—District Medical establishment' be reduced by Rs. 100 (to raise a discussion regarding the non-appointment of graduates and licentiates of the non-Government medical institutions in the services of the Government and the inadequate pay and emoluments of the Sub-Assistant Surgeons)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 4,33,000 under the head '32A—Medical establishment—District Medical establishment' be reduced by Rs. 100 (to criticise the policy followed in making appointments in the Bengal Medical Service cadre and to draw attention to the injustice done to qualified Muslim candidates for such appointment)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 4,33,000 under the head '32A—Medical establishment—District Medical establishment' be reduced by Rs. 100 (to draw the attention of the Government to the desirability for the appointment of the candidates of the backward classes as Assistant Surgeons and Sub-Assistant Surgeons)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 4,33,000 under the head '32A—Medical establishment' be reduced by Re. 1 (to draw attention to the fact that there is at present only one Sub-Assistant Surgeon in the subdivision of Cox's Bazar and that an Assistant Surgeon be appointed in his place)."

Maulvi NUR RAHMAN KHAN EUSUFJI: I beg to move that the demand of Rs. 5,47,000 under the head "32A—Medical establishment" be reduced by Rs. 100 (proper representation of Mussalmans in the medical service).

My object in moving this motion is to point out to the Government as well as to the members of this House, the paucity of Mussalmans in the Medical Service. There was a time when Mussalmans as a body did not very much go for the study of medicine, but nowadays, there are qualified Mussalmans available, and it is just in the fitness of time that there should be proper representation of the Mussalman community in the Medical Service. If we look at the Civil List, we find that there

are very few Mussalmans who hold appointments, provincial or subordinate, under Government; so my object is to draw the attention of Government to the above fact, so that Government may pay more attention to the claim of the Mussalmans so far as the Medical Service is concerned.

With these few words, I commend my motion to the House.

Maulvi TAMIZUDDIN KHAN: I want to say just a few words. It is said that so far as recruitment is concerned in this department, a policy is followed which is very different from the policy followed in the recruitment in other important services. In the Provincial Executive Service, for example, recruitment is made once a year; so also in other important services. But so far as the Medical Service is concerned, recruitment is made twice or thrice a year and about four appointments are made at a time, and naturally Mussalmans cannot be taken in adequate number on account of this method of recruitment. I do not know why this policy is followed in this department. I hope the Hon'ble Minister will kindly look into this matter, and see that the claims of Mussalmans are not defeated in future by following such devise. I do not know if this is actually the method of recruitment for this service; if it is, then it requires revision.

Babu AMULYADHAN RAY: I beg to move that the demand of Rs. 5,47,000 under the head "32A—Medical establishment" be reduced by Rs. 100 (want of proper provision for the appointment of the candidates belonging to the backward classes as enumerated on page 189, Part I, of the Calcutta University Commission Report).

Sir, I would like to draw the attention of the Hon'ble Minister to the want of any provision for the appointment of candidates of the depressed, oppressed, or backward classes, as you would like to call them, and as enumerated on page 189, Part I, of the Calcutta University Commission's Report, and as adopted, to say, in the words of the Hon'ble Sir Hugh Stephenson, for all practical purposes. The hon'ble friends of mine who are tired of communalism, will pardon me for bringing this motion of mine; it may be a question of communalism, but it is not a question of favouritism. When, the other day, my friend Mr. Bal was criticising the policy of the Government for not appointing any candidates of the backward classes in the office of the Private Secretary to His Excellency the Governor of Bengal, Mr. Jitendralal Bannerjee, out of sympathy with these unfortunate people of Bengal, could not support it, because it was too low. To-day out of love and affection what he says, I am yet to see.

Leaving Mr. Bannerjee and those of his way of thinking aside, and leaving aside the small assurances and petty promises of the past, promises that appear to have become time-barred in practice and in

action, I will come to the fullest assurance and the very sympathetic consideration given by the Hon'ble Minister, Mr. Bijoy Prasad Singh Roy, in this very House and on this very floor. On behalf of 11 millions of the people of Bengal, I ask him to-day what he has done as a matter of policy with regard to these 11 millions of people, and whether he has done anything in the departments under him. Within a short time, five appointments will be made in the Bengal Medical Service, and I do not know whether the Minister has done anything in this connection in respect of the backward classes of Bengal, and whether he has issued any instructions to the officers concerned. The other day, I had been to see Mr. Coppinger, and he told me that there was no provision for the backward classes in connection with the matter of appointments. Then, Sir, I went to the Minister, who was pleased to say that there is a rule for the appointment of backward classes.

Without any fear of contradiction, I can say in this House that although there is the rule, it is followed more in its breach than in its observance.

With these few words, I beg to commend my motion to the acceptance of the House.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Mr. Eusufji has complained about the number of Muhammadan appointments in the Medical Service. Government is always prepared to consider the claims of the Muhammadans, and have never overlooked them. As a matter of fact, in 1926, this Government issued a circular that 33 1/3 *per cent.* of the appointments should be reserved for Muhammadans, and that circular has been followed. During the last five years, 37 appointments were made to the Bengal Medical Service, and out of that 13 appointments were given to the Muhammadans. I do not think there can be any room for complaint.

So also with regard to the backward classes, Government is always prepared to welcome well-informed criticism, but I am afraid Mr. Ray has levelled certain charges against the department without proper information. Government have framed rules, by which they have laid down that if qualified backward class candidates are available, and——

Mr. B. C. CHATTERJEE: What is the meaning of "qualified backward classes"? How can a man be both backward and qualified?

6-45 p.m.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: If they cannot compete with other candidates, then Government will nominate candidates from the backward classes and give them a share in the

public service. Only the other day, Sir, two Buddhists who claimed themselves as members of backward classes were given two appointments in the Bengal Medical Service. The list of the Calcutta University Commission Report is not a complete list of backward classes and we have a fuller list enumerating all the backward classes in Bengal and we follow that list. So I do not think there is any room for any complaints from the backward classes that their claims are not considered properly.

The motions of Maulvi Nur Rahman Khan Eusufji and Babu Amulyadhan Ray were then, by leave of the Council, withdrawn.

Kazi EMDADUL HOQUE: Sir, I beg to move that the demand of Rs. 5,47,000 under the head "32A—Medical establishment" be reduced by Re. 1 (to discuss the policy of Government towards the establishment).

Sir, I fully realise the helplessness of the Hon'ble Minister in this direction. He must cut his coat according to his cloth. But I do not understand the view-point of the Government. The Government think that their responsibility ceases as soon as they have started some medical schools and colleges and some hospitals and other establishments of that kind in the big towns and cities. But they forget that there are a good deal of people that really need relief in this direction. Government do not see their way to minister to their needs, but they only open the doors to those persons that can afford themselves to have medical assistance without the help of the Government. The Government ought to have started schools and colleges in the rural areas, they ought to have met the needs of the rural people first and after having served them, if they could afford, they could open the doors of relief to those people who are rather better off. But Government are administering the needs of those people that can do without Government help and they leave the unfortunate people in rural areas to their sad lot. If the Hon'ble Minister cares to go to the villages and makes himself accessible to the village people, there he will find for himself a number of people who die from want of any medical treatment whatsoever. They do not even get a drop of medicine in the *mufassal* and they have not sufficient funds to approach medical men at their own expense; thus they die without any medicine and without any medical help. So the duty of the Government ought to have been to alleviate the condition of these people in the matter of medical relief, but Government have not done this and for this I hope I can sincerely appeal to the Hon'ble Minister in charge of the Medical Department to see his way that these people do not suffer from want of medical relief.

With these words, Sir, I commend my motion to the acceptance of the House.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I sometimes could not exactly follow the arguments of my friend. He said that the Government were satisfied by only establishing medical schools and colleges. These medical schools as a matter of fact were meant to train qualified medical men for the *mufassal*. The medical schools turn out now about 450 qualified medical men every year; it is expected that after being trained at public expense, they will go and settle in the villages and give proper qualified medical help to the rural people in need. So Government is not at all neglectful of the interest of the people in rural areas. Besides that, Sir, Government contribute regularly to the rural dispensaries, I mean, *thana* dispensaries. When a *thana* dispensary is opened in the rural area Government makes a contribution of Rs. 250 towards its maintenance and Rs. 500 when in sadar; the total expenditure of Government under this head is Rs. 87,000; the full amount has been provided for in next year's budget. The provision has been kept in tact; so I do not exactly follow what are the grounds of complaint. With these few words, Sir, I oppose this motion.

The motion of Kazi Emdadul Hoque was then put and lost.

The following motions were called but not moved:—

Maulvi ABUL KASEM: "That the demand of Rs. 15,45,000 under the head '32B—Hospitals and dispensaries—Presidency hospitals and dispensaries' be reduced by Rs. 100 (to draw attention to the neglect of patients in the Eden Hospital by the subordinate staff)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 3,32,000 under the head '32B—Hospitals and dispensaries—Mufassal hospitals and dispensaries' be reduced by Rs. 500 (necessity of establishing more hospitals and dispensaries in rural areas)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 3,32,000 under the head '32B—Mufassal hospitals and dispensaries' be reduced by Re. 1 (to raise a discussion on the present condition of the Mymensingh Surjakanta Hospital)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 2,77,200 under the head '32B—Hospitals and dispensaries—Grants to hospitals and dispensaries' be reduced by Rs. 1,000 (insufficient supply of medicines in charitable dispensaries)."

Kazi EMDADUL HOQUE: Sir, I beg to move that the demand of Rs. 2,79,000 under the head "32B—Hospitals and dispensaries" be reduced by Re. 1 (to discuss about the feasibility of serving the village people more widely).

Here also, Sir, I have got some complaint against the Government to make which is this: Government on no account give effect to our

desire. We have always been complaining to the Government that they ought to serve the village people first and I say the question of funds would not stand in the way. They have as a matter of fact started some dispensaries and hospitals in the *sadar* towns and *thana* headquarters and so forth. These dispensaries no doubt serve certain patients near by, but they cannot serve all the people in the *thanas*. But, Sir, with far less cost and with far less establishment charges, they can serve a greater number of people if they follow our advice. We have always been asking Government to establish in village areas some Homeopathic dispensaries which can be run at a very small expenditure. Of course if they adopt this procedure on our advice, if they go on starting Homeopathic dispensaries throughout the district, the needs of the whole of the province would have been met and the greatest number of people would have been treated at an expense which would never have exceeded the amount which the Government are spending on Allopathic dispensaries. The village people who do not get any medical relief now will get relief if such dispensaries are located in the interior village areas. If the Hon'ble Minister cares to go to the villages and take statements of the people there, he will find how many people there are suffering and what percentage of them is getting medical relief in the medical dispensaries started in the *thanas* and subdivisional headquarters. Surely a very small percentage of the inhabitants of the village areas can get relief in those institutions. So, if Government cares to start Homeopathic hospitals and dispensaries, they can serve a much larger number of patients of Bengal with half the amount that is now being spent on the district and *thana* headquarters dispensaries. May I, therefore, appeal to the Hon'ble Minister to try to influence Government to accept the policy of establishing Homeopathic dispensaries—the cheapest sort of remedy which may be made available to the village people throughout the districts, and if he takes the initiative in the matter before he leaves his office, he will certainly earn the gratitude of a large number of poor rural people of Bengal. With these few words, Sir, I commend my motion to the acceptance of the House.

Babu SATYENDRA NATH ROY: I beg to support the motion of my friend Kazi Emdadul Hoque. It is well known that in the *mufassal* villages people do not get necessary medical help and most of the hospitals which are run by the local authorities are also in want of funds. I hope with a better financial outlook the Hon'ble Minister will see his way to provide these dispensaries and hospitals with more funds.

Sir LANCELOT TRAVERS: Sir, I should like to say a word about this motion. First of all a considerable increase of medical attention

to the people in rural areas has been provided by the Central Government in the form of medical schools and health circles. Now, Sir, the mover's motion is perfectly correct in that there is an enormous amount of work yet to be done in this direction. But, Sir, surely it is not possible that the Central Government can attend to this matter. It is first of all a matter for the district board, secondly it is a matter for the union board and lastly a matter for voluntary effort. In Western countries, Sir, all this sort of work is done by voluntary effort in villages and *mufassal* towns. I think members of this Council would like to see associations formed with the object of directing voluntary effort and to bring more help in matters of medical relief and attendance to the people in the rural areas. But, Sir, that cannot be done by the Central Government.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir Lancelot Travers has said exactly what I intended to say on this subject. This motion is practically identical with the motion No. 901 and my reply is also to be on the same lines. There are the *thana* dispensaries and whenever a *thana* dispensary is started in the rural area Government make a contribution of Rs. 250 towards its maintenance. Besides this, Sir, the main object of having so many medical schools is to train more qualified medical men who will go and settle in the villages and supply qualified but at the same time cheap medical help to the people in the rural areas, and this policy has been followed with satisfactory results for the last few years. I do not exactly follow what the mover means by saying that the Government are neglecting the rural people. They are not. A very large portion of the Government expenditure under the head "Medical" is spent in the *mufassal*. As Mr. Roy has pointed out that hospitals and dispensaries started by the local bodies are feeling want of funds. It is for the local bodies to come to their rescue. They cannot expect the Government to supply funds to these institutions. What are the district boards and the municipalities for? It is a notorious fact that most of the municipalities are reluctant to pay their contribution to the *sadar* hospitals. Their proportion of contribution was fixed several years ago and they have not increased it in proportion to the increase of expenditure in these hospitals. If Mr. Roy and others will exert their influence over these local bodies and see that more money is spent by these bodies on the *sadar* hospitals much good will be done.

The motion of Kazi Emdadul Hoque was then put and lost.

Adjournment.

The Council was then adjourned till 3 p.m. on Wednesday, the 30th March, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 30th March, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 109 nominated and elected members.

Obituary Reference.

Mr. PRESIDENT: It is with great regret that I have to refer to the death of Mr. W. H. Arden-Wood who was a member of the Bengal Legislative Council from 1917 to 1920. He died in London on the 23rd instant at the ripe age of 74. He spent the major portion of his active life as an educationist in India and was Principal of La Martiniere College till 1920. He took a promient part in the affairs in the city of Calcutta as Municipal Commissioner, member of the Calcutta University Syndicate and Examiner, and President of the European and Anglo-Indian Associations. He was created a C.I.E. in 1913. I am sure that members will desire that a message of their sympathy should be conveyed to his relatives.

I would now ask you, gentlemen, to signify your assent by kindly rising in your places.

(The members having risen in their places.)

Mr. PRESIDENT: Thank you, gentlemen. The Secretary will please take the necessary action.

Starred Questions

(to which oral answers were given).

Outbreak of malaria in certain villages of Mymensingh.

*174. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) whether his attention has been drawn to the serious outbreak of malaria in villages Nilakhi, Pirijpur, Joaria, Konapara

and Sararchar, etc., within the union boards of Sararchar and Pirijpur, police-station Bajitpur in the Kishoreganj subdivision of the Mymensingh district;

(*ii*) whether it is a fact that the outbreak which began about July last is still continuing in great virulence and is spreading;

(*iii*) whether it is a fact that in three villages of Konapara, Pirijpur and Joaria alone there have been about 400 deaths in the course of November and December; and

(*iv*) what is the number of deaths due to fever in the aforesaid villages, namely, Nilakhi, Pirijpur, Joaria, Konapara, Sararchar, village by village, from July to December, 1931?

(*b*) Is it a fact that in many cases deaths took place on the third and fifth days from the attack?

(*c*) Is it a fact that in the house of one Abdul Soban of Nilakhi as many as eleven deaths occurred in the course of a month?

(*d*) Will the Hon'ble Minister be pleased to lay on the table a statement showing for the months of October, November and December last—

(*i*) the number of average daily attendance of fever cases at the Sarat Chandra Charitable Dispensary, Sararchar (District Board Dispensary), within the affected area; and

(*ii*) the quantity of quinine supplied by—

(1) the district board,

(2) the Government

to the said dispensary for distribution?

(*e*) Is there any reason to suppose that the inadequate supply of quinine was partly responsible for the heavy mortality?

(*f*) Is it a fact that a doctor was specially deputed by the district board to the affected area?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) how many cases were dealt with by him;

(*ii*) how long he worked there; and

(*iii*) what supply of quinine was received by him from the district board or the Government?

(*h*) What steps do the Government intend to take—

(*i*) to discover the causes of this sudden outbreak;

(*ii*) to discover the nature of the fever and the nature of the epidemic; and

(*iii*) to fight out and eradicate the disease and to stop its further progress?

(*i*) Do the Government propose to include the area in the proposed malaria survey?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) (*i*) Yes.

(*ii*) It is reported that the epidemic is now subsiding.

(*iii*) The Assistant Surgeon deputed to this area reports that 87 deaths from fever occurred in these three villages some of which were probably due to other causes than malaria.

(*iv*) A statement is laid on the table.

(*b*) A few cases which were either of the cerebral or algid type of malaria, or relapsing cases where death was due to under-current disease died quickly.

(*c*) Yes.

(*d*) (*i*) A statement is laid on the table.

(*ii*) As regards the district board supply see (*g*) (*iii*). No direct allotments are made by Government to union boards.

(*e*) It is always possible that had quinine been available and consumed on a larger scale the epidemic might have been more restricted, but it is difficult to establish direct relation between the figures for mortality, and the consumption of quinine.

(*f*) Yes.

(*g*) (*i*) 1,204 cases.

(*ii*) Two months.

(*iii*) The following allotments of quinine were made to this area by the district board:—

	Quinine Sulphate.
Special Doctor	... 1 lb. 8 oz.
Private Agency	... 2 lb. 2 oz.
Sanitary Inspector—Pills (Febrifuge)	... 4 lb. 1 oz.

(*h*) and (*i*) Reference is invited to the report of the Assistant Surgeon, Public Health Department, of appendix to the reply to a question on this subject at this meeting about this area.

The epidemic is in the opinion of the Director of Public Health attributable to an increase in breeding places caused by the excavation of local *khals* combined with the effects of the economic distress.

Action against malaria in a localised part of a subdivision is primarily for the health authorities of the district board. Government agree, however, that in view of the severity of the epidemic in these unions a further survey of local conditions is desirable, and will request the Director of Public Health to have this made. It may be mentioned that the President of the Pirijpur union board has written to express his appreciation of the assistance given by the Public Health Department.

Statement referred to in the answer to clause (a) (iv) of starred question No. 174 of deaths from July to December, 1931.

Village.	July.	August.	September.	October.	November.	December.	Total.
Sararchar ..	Nil	1	Nil	4	4	13	22
Nilakhi ..	2	3	3	Nil	7	25	40
Joaria ..	Nil	Nil	0	2	7	16	34
Pirijpur and Konapara	4	3	10	Nil	22	42	81

Statement referred to in the answer to clause (d) of starred question No. 174.

DAILY DISPENSARY ATTENDANCE.

Months.	New malaria cases.	Daily averages.	Total daily averages.
October	440	14·2	41·5
November	504	16	64·5
December	277	9	30·3

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to state if there is an apprehension of any fresh outbreak with the advent of the rains according to the report?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I want notice.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state what is meant by the word "under-current"?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The word "under-current" is a misprint for "in-current."

Mr. NARENDRA KUMAR BASU: What, again, is the meaning of the word "in-current?"

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Disease going on at the same time.

Dr. NARESH CHANDRA SEN GUPTA: Is the Hon'ble Minister aware that in some parts of the district of Mymensingh there is an epidemic of malaria of a very bad type?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Dr. NARESH CHANDRA SEN GUPTA: Is the Hon'ble Minister contemplating any research work being undertaken with regard to these outbreaks?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: We are asking the Director of Public Health to make a further survey.

Rai Bahadur Dr. HARIDHAN DUTT: With reference to answer (*e*) may I inquire why quinine was not available?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: There is a fixed grant for quinine and it is distributed through the District Magistrates.

Rai Bahadur Dr. HARIDHAN DUTT: Do I understand that the people of India do not get adequate quantities of quinine necessary for diseases being properly treated?

Maulvi SYED MAJID BAKSH: May I know if it is not a fact that at present there is a large stock of quinine at the disposal of Government?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Maulvi SYED MAJID BAKSH: May I know what is the unspent amount of quinine in Government stock?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I would like to know, Sir, what the member means by the word "unspent."

Maulvi SYED MAJID BAKSH: I mean quinine that has not been used and is still in stock.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I cannot say.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to try to distribute proper quantities of quinine to malaria-affected areas?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Free of charge!

Sir LANCELOT TRAVERS: Will the Hon'ble Minister be pleased to inform the House whether the Public Health Department has any organisation by which epidemics of this description can be quickly reported to Government?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes, there is.

Commissions and court guardianships given to Muhammadan pleaders in Bakarganj.

***175. Maulvi ABDUL GHANI CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(*i*) the number of commissions for local inquiry or to take down the evidence of witnesses issued; and

(*ii*) the number of court guardians appointed

during the years 1930 and 1931 separately in the civil courts of Barisal, Patuakhali, Bhola and Pirojpur in the district of Bakarganj?

(*b*) Will the Hon'ble Member be pleased to state the number of such commissions and court guardianships given to Muhammadan junior pleaders of the abovenamed places?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) and (*b*) A statement is placed on the table.

Statement referred to in the answer to clauses (a) and (b) of starred question No. 175.

(*a*) (*i*)

COMMISSIONS.

	1930.	1931.
Barisal	266	142
Patuakhali	26	6
Bhola	27	29
Pirojpur	73	51

(ii)

COURT GUARDIANS.

	1930.	1931.
Barisal	115	112
Patuakhali	317	489
Bhola	721	838
Pirojpur	97	129

(b)

1930.

	Commissions.	Court Guardianships.
Barisal	5	3
Patuakhali	4	38
Bhola	9	225
Pirojpur	11	18

1931.

Barisal	6	6
Patuakhali	..	77
Bhola	5	247
Pirojpur	4	21

Presidency College, Calcutta.

*176. **Mr. S. M. BOSE:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact—

(i) that the headship of the department of Economics in the Presidency College fell vacant recently owing to the retirement of Sir Jehangir Coyajee; and

(ii) that the headship of the department of History in this college will also fall vacant shortly owing to the impending retirement of Professor Santosh Kumar Chatterjee?

(b) Is it a fact that the University Inspectors of Colleges in their report on the Presidency College in 1931—

(i) expressed grave concern at the lowering of the standard of the Presidency College due to the retirement or transfer of a number of distinguished professors of the college during the last two years or so; and

(ii) recorded their opinion that this premier college in the province should be manned by only the best and the most experienced officers in the service?

(c) If the answer to (b) is in the affirmative, what steps, if any, do the Government contemplate taking in the matter?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) (*i*) and (*ii*) Yes.

(*b*) (*i*) and (*ii*) Yes.

(*c*) The recruitment of first class teachers for the Economics and History Departments of the Presidency College is now under consideration and applications for the posts have been invited. Government however are not prepared to agree that junior teachers are necessarily less efficient or that the Presidency College should have a monopoly of the best officers to the exclusion of the *mufassal* colleges.

Present Land Acquisition Officer, Alipore.

***177. Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether it is a fact that Rai Bahadur Jamini Mohan Ghosh has been posted as Special Land Acquisition Officer of the 24-Parganas at Alipore for the last 5 years and 7 months?

(*b*) Is it usual for the Executive and Judicial Officers of the Government to be posted at one place for such a length of time?

(*c*) If the answer to (*b*) is in the negative, what are the special circumstances that have led to the exception in the present case?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir B. B. Ghose) (*a*) He was Second Land Acquisition Officer at Alipore from July, 1926, to February, 1927, and has been First Land Acquisition Officer, Alipore, since February, 1927.

(*b*) No, but there is no rule against it, and in some cases land acquisition officers have been posted at one place for a much longer time.

(*c*) It was considered desirable that the work of land acquisition for the Calcutta Chord Railway should be completed by the officer. Further, for reasons of economy unnecessary transfers are not being made.

Babu JITENDRALAL BANNERJEE: Is it not a fact that land acquisition work in connection with the Calcutta Chord Railway has been long finished?

The Hon'ble Sir B. B. GHOSE: I ask for notice.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member b pleased to tell us whether any officer under his department has bee transferred during the last 5 years?

Mr. PRESIDENT: I do not allow that question.

Maulvi SYED MAJID BAKSH: My next question will be——

Mr. PRESIDENT: I cannot anticipate what your next question wil be.

Maulvi SYED MAJID BAKSH: My question is whether within th last 5 years and 7 months any officers have been transferred from hi department?

(No reply.)

Number of holidays for Muslim festivals.

*178. **Khan Bahadur MUHAMMAD ABDUL MOMIN:** (*a*) With reference to the reply given to starred question No. 23 at the Council Meeting held on the 4th February, 1932, will the Hon'ble Member in charge of the Finance Department be pleased to state whether any decision has been arrived at on the question of allotment of a fair number of holidays (particularly non-Act holidays) for Muslim religious festivals?

(*b*) If the answer to (*a*) is in the affirmative, what is that decision?

(*c*) If there is no decision as yet,—

(*i*) what are the reasons for the delay;

(*ii*) when do the Government expect to arrive at a decision?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) No.

(*b*) Does not arise.

(*c*) (*i*) Pressure of work.

(*ii*) The question is complicated and no definite date can be given.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Member be pleased to state whether the allotment referred to in this question is proposed to be made by reducing the number of holidays already allotted for Hindu religious festivals?

The Hon'ble Mr. A. MARR: I cannot possibly anticipate the decision of Government.

Maulvi SYED MAJID BAKSH: Is it not a fact that an assurance has already been given that such arrangements will be made in a short time?

The Hon'ble Mr. A. MARR: No.

Maulvi SYED MAJID BAKSH: As regards answer (c) (i)—pressure of work—is it not a part of the work which the Member has to do?

The Hon'ble Mr. A. MARR: No; it is clearly due to the hon'ble members of the Council here.

Maulvi SYED MAJID BAKSH: If pressure of work is not included in the ordinary work, may I inquire why other departments are not pressed down for work?

(No reply.)

Epidemic doctors.

*179. **Khan Bahadur MUHAMMAD ABDUL MOMIN:** (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(i) the total number of epidemic doctors employed at present in the province under the Public Health Department;

(ii) the scale of their salaries; and

(iii) whether there is any scheme for the improvement of their status?

(b) If the answer to (a) (iii) is in the affirmative, will the Hon'ble Minister be pleased to state what is the scheme and when is it likely to be given effect to?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (a) (i) and (ii) The question presumably refers to the temporary field establishment of the Director of Public Health, a statement of which is laid on the table.

(iii) This has been considered in the past, but all proposals for increased expenditure on this service are at present in abeyance.

(b) Does not arise.

Statement referred to in the answer to clause (a) (i) and (ii) of starred question No. 179.

Three Assistant Surgeons at Rs. 250 per mensem.

Nineteen Sub-Assistant Surgeons at Rs. 100 per mensem.

Zilla schools.

***180. Babu SATYA KINKAR SAHANA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*i*) the number of *zilla* schools in the province;

(*ii*) the names of the towns where they are situated;

(*iii*) the amount annually spent from the provincial revenue towards their maintenance?

(*b*) Will the Hon'ble Minister be pleased to state whether the object with which the *zilla* schools were started in the beginning is still kept in view in the present conditions?

(*c*) How many of the first ten successful boys in each year during the last decade were boys from the *zilla* schools?

(*d*) Will the Hon'ble Minister be pleased to lay on the table a statement showing (*1*) aided, and (*2*) non-aided schools other than the *zilla* schools in the province?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) (*i*), (*ii*) and (*iii*) A statement is placed on the table.

(*b*) The object is still kept in view.

(*c*)

1923	... 1
1925	... 3
1926	... 1
1927	... 1
1928	... 1
1930	... 1

(*d*) A copy of the list of high schools and colleges in Bengal corrected up to 31st December, 1930, is placed on the library table.

Statement referred to in the reply to clause (a) of starred question No. 180, showing the amount spent from provincial revenues on the maintenance of zilla schools in 1930-31.

			Rs.
1.	Jessore Zilla School	...	19,467
2.	Khulna Zilla School	...	21,849
3.	Bankura Zilla School	...	21,990
4.	Birbhum Zilla School	...	22,658
5.	Howrah Zilla School	...	22,168
6.	Barisal Zilla School	...	34,784
7.	Faridpur Zilla School	...	21,763
8.	Mymensingh Zilla School	..	30,443
9.	Noakhali R. K. Zilla School	...	20,872
10.	Comilla Zilla School	...	31,171
11.	Bogra Zilla School	...	23,641
12.	Dinajpur Zilla School	...	27,560
13.	Jalpaiguri Zilla School	...	18,765
14.	Malda Zilla School	...	27,519
15.	Pabna Zilla School	...	29,789
16.	Rangpur Zilla School	...	26,341
	Total	...	4,00,780

3-15 p.m.

Babu SATYA KINKAR SAHANA: Will the Hon'ble Minister be pleased to state with reference to (*b*) whether the object kept in view has been attained?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes.

Steamer communication to Tangail.

***181. Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Is the Hon'ble Member in charge of the Marine Department aware—

(i) that on account of the shallowness of the river Jamuna the steamer station at Porabari in the Tangail subdivision has, of late, been shifted some 7/8 miles from its previous site

to a newly-formed sandy *char* land inconvenient for the purpose of a station; and

(*ii*) that owing to the aforesaid removal of the Porabari steamer station the journey between Tangail and Porabari has become more tedious and more difficult and more expensive than before?

(*b*) Will the Hon'ble Member be pleased to state whether the Government propose to take early steps for the improvement of the Tangail-Porabari-Charabari-Sirajganj communication?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) (*i*) and (*ii*) Yes. In ordinary circumstances there are two routes into Tangail; by one passengers disembark at Porabari, proceed overland to Charabari, ferry the Charabari river and go to Tangail by road. By the other passengers disembark at Sirajganj, join the feeder steamer to Charabari and from there proceed overland. During last rains a feeder steamer service was maintained to Tangail.

This season due to abnormal river conditions the channel to Charabari closed on 19th November, 1931. This closed down one route. Now, owing to conditions on the main river above Porabari, the *ghat* has had to be moved up about 2 or 3 miles as the channels leading to Porabari silted up.

(*b*) The matter is under consideration.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Member be pleased to state whether steps are being taken to improve the condition of this river?

The Hon'ble Mr. A. MARR: The matter is under the consideration of my Hon'ble colleague, the Member in charge of the Irrigation Department.

Hill exodus.

***182. Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Is the Hon'ble Member in charge of the Political Department aware that there is a strong feeling prevailing in the country against the huge expenditure of public money incurred every year in connection with the hill exodus of Government?

(*b*) Are Government considering the desirability of discontinuing the practice of the exodus in view of the present financial stringency, when the Government have taken the extreme measure of curtailing the pay of even the permanent incumbents in various services?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) and (*b*) The member is referred to the statement made in the Council on 17th March, 1932, by the Hon'ble Member in charge of the Finance Department.

Arrangement in place of Assistant Secretary, Finance Department, Budget Branch.

***183. Dr. JOGENDRA CHANDRA CHAUDHURI:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state what arrangements have been made in place of the Assistant Secretary of the Finance Department (Budget Section)?

(*b*) Is it a fact that the Registrar has been superseded by a junior assistant?

(*c*) Is it also a fact that a junior man has been promoted to act as Head Assistant superseding the claims of all senior officers?

(*d*) What will be the additional cost of this arrangement?

(*e*) What would have been the additional cost if all the senior men had been promoted?

(*f*) Who suggested this arrangement?

(*g*) Why was the post of Assistant Secretary not kept vacant as was done during the leave of the said Assistant Secretary?

(*h*) Will the Hon'ble Member be pleased to state whether sanction of Government as a whole was taken for this new expenditure?

(*i*) If the answer to (*g*) is in the negative, will the Hon'ble Member be pleased to state why a departure was made in this connection?

The Hon'ble Mr. A. MARR: (*a*) Babu Kashipati Chatterjee, Head Assistant, has been appointed to act as Assistant Secretary and Babu Binayak Chandra Mukherjee, an Assistant, has been appointed to act as Head Assistant.

(*b*) There was no question of supersession; the head assistant in the budget branch was appointed to act.

(*c*) Two senior assistants have been passed over.

(*d*) About Rs. 607.

(*e*) About Rs. 772.

(*f*) The Secretary in the Department.

(*g*) The post of Assistant Secretary could not be kept vacant on account of pressure of work during the budget season.

(*h*) Yes.

(*i*) Does not arise.

Correction of age of University students.

*184. **Maulvi ABDUL GHANI CHOWDHURY:** Will the Hon'ble Minister in charge of the Education Department be pleased to state the procedure, if any, for the correction of age of the students reading under the Universities of Calcutta and Dacca?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The member is advised to apply to the Universities for the information he requires.

Classification of prisoners.

*185. **Babu HEM CHANDRA ROY CHOUDHURI:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether the Local Government has issued any instructions to the District and Special Magistrates with regard to the classification of the persons arrested or convicted for committing political offences?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to place a copy of those instructions on the table?

(*c*) Is it a fact that the Local Government has issued instructions to those officers to classify almost all male prisoners in division C?

(*d*) Is it a fact that Babu Kamini Kumar Saha, B.L., a practising pleader of the Noakhali district bar, Babu Jatindra Lal Mukherji, B.A., and Babu Naresh Chandra Chowdhury, B.A., teachers of the Arun Chandra High English School, Babu Gnanendra Kumar Chowdhury, mukhtear, along with several other respectable residents of the Noakhali district have been placed in division III?

(*e*) Is it not a fact that the status of some of those gentlemen was known to the trying Magistrate, Noakhali?

(*f*) Has the attention of the Hon'ble Member been drawn to the resolution passed by the Noakhali District Bar Association in its meeting held on the 22nd February last, to the effect that the classification of the persons convicted of political offences in this district has not been made in accordance with the true spirit of jail rules, and urging the Government to revise the classification in the cases referred to?

(*g*) If the answer to (*f*) is in the affirmative, what steps, if any, have the Government taken in the matter?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) No.

(*b*) Does not arise.

(*c*) No.

(d) The four prisoners refused to take part in the proceedings of the court and did not furnish particulars entitling them to be placed in a higher class and the trying Magistrate had no option but to place them in division III.

(e) Government have no information, but it is reported that most of them declared themselves to be Congress workers.

(f) and (g) Yes. As the trying Magistrates follow the revised rule in the Jail Code, Government do not think it necessary to take any further action in this matter.

Babu HEM CHANDRA ROY CHOUDHURI: With reference to answers (e), (f) and (g), will the Hon'ble Member be pleased to state whether under the revised rules of the Jail Code all Congress workers should be placed in division III?

The Hon'ble Sir B. B. GHOSE: No.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to tell us whether the reason why those prisoners mentioned in question (d) have been placed in division III, was that they declared themselves to be Congress workers?

The Hon'ble Sir B. B. GHOSE: The answer is there in (d). The only reference to Congress workers is the description that they gave themselves.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to tell us whether the resolution passed by the Noakhali District Bar Association as referred to in question (f) contains a recommendation that these prisoners are entitled to be placed in division II?

The Hon'ble Sir B. B. GHOSE: I do not know.

Dr. NARESH CHANDRA SEN GUPTA: Under the Jail Code are the Magistrates in making their recommendation only to confine to the evidence before them and are they not free to make any inquiry apart from the proceedings in the court?

The Hon'ble Sir B. B. GHOSE: That is the Magistrate's business.

Licenses for cycling in Chittagong.

*186. **Mr. NARENDRA KUMAR BASU:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state—

(*i*) the amount spent up to date on military and additional police in Chittagong;

(*ii*) the amount of punitive tax collected up to date and the amount still unrealised; and

(*iii*) the number of absconders of the Armoury Raid case arrested up to date and also the number still at large?

(*b*) Is it a fact that cycling is prohibited in Chittagong without a license?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state whether licenses are refused to students who have to attend their colleges and schools from a distance?

(*d*) What is the number of licenses granted to Muhammadan and Hindu non-officials?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) Rs. 1,00,000 approximately.

(*ii*) Of the cost of additional police levied under section 15 of the Police Act, a sum of Rs. 37,675 has been realised; a sum of Rs. 29,081 remains to be realised.

(*iii*) One absconder has been arrested since December 1st, 1931. Seventeen are still at large.

(*b*) Yes, in certain areas and for a limited period.

(*c*) Government have no information: no complaints have been received from school authorities.

(*d*) Muhammadan non-officials—285; Hindu non-officials—283.

Mr. NARENDRA KUMAR BASU: With reference to answer (*c*), has Government received any complaint from anybody other than the school authorities?

The Hon'ble Mr. W. D. R. PRENTICE: Government have not received any complaints at all.

Dr. NARESH CHANDRA SEN GUPTA: With regard to (*a*) (*iii*), can the Hon'ble Member give any idea of the number of persons who have been subjected to molestation on account of this?

The Hon'ble Mr. W. D. R. PRENTICE: I do not admit that there has been any molestation.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to tell us the amount of money collected by granting licenses to Hindus and Muhammadans?

The Hon'ble Mr. W. D. R. PRENTICE: (Inaudible in the Reporters' gallery.)

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Member be pleased to state when he is expected to make the statement on the Chittagong incidents?

The Hon'ble Mr. W. D. R. PRENTICE: Government hoped to be able to make a statement before the end of the session but owing to the complexity of the matter and the necessity for consultation with the Government of India, this has not been found to be possible.

Mr. SYAMAPROSAD MOOKERJEE: May I inquire whether the Hon'ble Member is prepared to lay on the table the correspondence which has passed between the Government of Bengal and the Government of India?

The Hon'ble Mr. W. D. R. PRENTICE: Certainly not.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the Government has decided not to make any statement on the Chittagong incident?

The Hon'ble Mr. W. D. R. PRENTICE: No: what they have decided is exactly what I have read out.

Classification of Professor Bejoy K. Bhattacharjy of Howrah as division II prisoner.

***187. Dr. AMULYA RATAN GHOSE:** (*a*) Is the Hon'ble Member in charge of the Political (Jails) Department aware—

(*i*) that Professor Bejoy K. Bhattacharjy, M.A., late Vice-Chairman and a sitting Commissioner of the Howrah Municipality, was convicted and classed by the trying Magistrate as a division I prisoner; and

(*ii*) that the said prisoner is now in the Dum Dum Special Jail and has been transferred to division II?

(*b*) If the answer to (*a*) is in the affirmative, what are the reasons which led the authorities of the said jail to take this step?

(*c*) Are the Government considering the desirability of replacing the said prisoner in division I?

The Hon'ble Sir B. B. GHOSE: (*a*) (*i*) and (*ii*) Yes.

(*b*) The status and manner of living of the prisoner not being high he was placed in division II during the last civil disobedience movement and following that precedent Government have placed him in division II on this occasion.

(*c*) No. The question will be considered if the prisoner represents his case.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Member be pleased to state whether the prisoner was recommended to be placed in division II on a previous occasion by the trying Magistrate?

The Hon'ble Sir B. B. GHOSE: I am not aware of this.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Member be pleased to state whether the Magistrate in placing the prisoner in division I on this occasion had gone into the question of his status?

The Hon'ble Sir B. B. GHOSE: Probably yes.

Mr. SYAMAPROSAD MOOKERJEE: Is it not most unusual for Government to interfere with the recommendation of the trying Magistrate?

The Hon'ble Sir B. B. GHOSE: Not always, but it is sometimes done.

Mr. SYAMAPROSAD MOOKERJEE: What are the special facts which led the Government to interfere with the decision of the trying Magistrate?

The Hon'ble Sir B. B. GHOSE: The answer is there in (*b*).

Mr. SYAMAPROSAD MOOKERJEE: Does not the fact that he is a professor of a college and was the Vice-Chairman of a municipality entitle him to be placed in division I?

The Hon'ble Sir B. B. GHOSE: That is a matter of opinion.

Mr. SYAMAPROSAD MOOKERJEE: Is it not a fact that persons lower in status than this prisoner have been placed in division I?

The Hon'ble Sir B. B. GHOSE: May be; I am not aware of that.

Mr. NARENDRA KUMAR BASU: Is there anything in the rules which precludes Government from taking into consideration the social status of a prisoner even if the prisoner makes no representation?

The Hon'ble Sir B. B. GHOSE: There is nothing to preclude the Government from considering these matters; but this is generally not the practice.

Dr. NARESH CHANDRA SEN GUPTA: Is it not a fact that under the Jail Code the distinction between prisoners in divisions I and II is not a distinction of status but of the nature of the offence?

The Hon'ble Sir B. B. GHOSE: The questioner may look into the Jail Code.

Mr. W. L. ARMSTRONG: Will the Government in view of the economic depression consider the advisability of putting all prisoners in one division?

The Hon'ble Sir B. B. GHOSE: That is more than I can say.

Mr. SHANTI SHEKHARESWAR RAY: May I know on whose advice the Government changed the recommendation of the trying Magistrate?

The Hon'ble Sir B. B. GHOSE: The answer is in (*b*).

Interviews with the prisoners in the Dum Dum Special Jail.

*188. **Dr. AMULYA RATAN GHOSE:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that relatives and friends of convicts in the Dum Dum Special Jail are not allowed interviews with the prisoners except through a partition wall of wire-netting that stands between the prisoner and the interviewer?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether it is a fact that there is a feeling amongst the prisoners over this measure and they have declined in a body to appear before the interviewer?

(*c*) What steps, if any, have the Government taken to remove the grievance of the prisoners?

(*d*) Will the Hon'ble Member be pleased to state whether information regarding refusal of interviews is conveyed to the intending interviewers before they actually undertake the journey up to the jails for the interview?

The Hon'ble Sir B. B. GHOSE: (*a*) There is a partition of wire-netting but no wall.

(*b*) Some of the prisoners refused interviews.

(*c*) As the object of this arrangement is to prevent the passing of unauthorised articles into and out of the jail, Government do not propose to take any action.

(*d*) Applications are replied to as promptly as possible.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if it is not a fact that only civil disobedience prisoners are kept in the Dum Dum Special Jail?

The Hon'ble Sir B. B. GHOSE: I am not aware.

Mr. SHANTI SHEKHARESWAR RAY: Is he prepared to contradict if I say that only civil disobedience prisoners are confined there?

The Hon'ble Sir B. B. GHOSE: I said I am not aware; I cannot affirm or contradict.

Mr. SHANTI SHEKHARESWAR RAY: Is it a fact that only prisoners of high status are kept in divisions I and II?

The Hon'ble Sir B. B. GHOSE: According to the Jail Code. The member is referred to the Jail Code.

Dr. AMULYA RATAN GHOSE: With reference to answer (*c*) will the Hon'ble Member be pleased to say if there is any possibility of unauthorised articles coming in and out of the jail?

The Hon'ble Sir B. B. GHOSE: There is the answer: there is nothing to prevent this being done.

Mr. NARENDRA KUMAR BASU: Can the Hon'ble Member give any instance of the passing of unauthorised articles during an interview with divisions I and II prisoners?

The Hon'ble Sir B. B. GHOSE: This happened previously. All I can say is that this may happen.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Member be pleased to state if any jail officer is present at the time of interview?

The Hon'ble Sir B. B. GHOSE: Jail officers are present. The interviews are given to three persons at the same time.

Dr. AMULYA RATAN GHOSE: Will the Hon'ble Member be pleased to state if no such thing happened, why is this precaution necessary?

The Hon'ble Sir B. B. GHOSE: I will refer the member to some of the members who had been to the jail in question.

Bengal Medical Service cadre.

*189. **Khan Bahadur MUHAMMAD ABDUL MOMIN:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) how many appointments were made in the Bengal Medical Service cadre during the last five years; and

(*ii*) how many of these recruits were Muhammadans?

(*b*) Is it a fact that these appointments are not made once every year as is done in the case of recruitment in the Bengal Civil Service and other higher services?

(*c*) Is it a fact that these appointments are made twice or thrice every year?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason therefor?

(*e*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of posts, if any, that are vacant at present; and

(*ii*) the method contemplated to be followed in filling up these vacancies?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) (*i*) Thirty-seven.

(*ii*) Eleven.

(*b*) Yes.

(*c*) Appointments are made as vacancies occur.

(*d*) Recently there have been a number of special appointments occurring unexpectedly and these and death vacancies necessitate filling up the cadre at irregular intervals.

(*e*) (*i*) Eight, of which four are permanent vacancies.

(*ii*) The vacancies are filled after consulting the selection board in accordance with the Provincial Posts Recruitment Rules, a copy of which is placed on the library table.

Babu AMULYADHAN RAY: Will the Hon'ble Minister be pleased to state whether a Selection Board has been formed this year?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: There is a permanent Selection Board.

Babu AMULYADHAN RAY: Will the Hon'ble Minister be pleased to state whether instruction has been given to the Selection Board for considering the claims of depressed class candidates?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Such instructions are not necessary, because the Selection Board follow the Appointment Rules, which fully safeguard the interests of the backward classes.

Babu AMULYADHAN RAY: Will the Hon'ble Minister be pleased to say whether the eight vacancies mentioned in answer (*e*) (*i*) will be filled up this year?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Minister be pleased to state the proportion of appointments that will go to Muhammadans?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: 33 and one-third *per cent.*

Khan Bahadur MUHAMMAD ABDUL MOMIN: Does the Government propose to raise the proportion?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Not at present.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state with reference to answer (*d*), apart from death vacancies, what the practice is with regard to recruitment?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Recruitment is made whenever vacancies occur.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to give us an idea of the total number of applications received from Hindus and Muhammadans respectively?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The total number of applications received for these eight vacancies is 180 of which I cannot say how many are from Hindus and how many from Muhammadans.

Unstarred Questions

(answers to which were laid on the table).

Malaria in Mymensingh.

87. Babu SATISH CHANDRA RAY CHOWDHURY: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether any report has been submitted by the doctors sent out by the Public Health Department for malaria duty in the villages within Sararchar and Pirijpur union boards, police-station Bajitpur in Mymensingh, as regards the nature and extent of the disease and its incidence?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay a copy of the report on the table?

(*c*) What action do the Government propose to take to check further progress of the disease and to eradicate it?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) and (*b*) A copy of the report of the Assistant Surgeon, Public Health Department, deputed to visit these unions is laid on the table.

(*c*) Reference is invited to the reply to clause (*h*) of a starred question on the same subject asked by the member at this meeting.

Report referred to in the answer to clauses (a) and (b) of unstarred question No. 97.

MALARIA SURVEY REPORT OF SARARCHAR AND PIRIJPUR UNIONS.

1. *Spleen index.*—The spleen census of the badly-affected villages was taken and is shown below:—

Villages.	Children examined.	Total spleens.	Percentages.
Joaraia	98	60	71·2
Konapara	68	59	87·8
Nilakhi	115	86	74·8
Total ..	281	205	72·9

The number of one-finger spleen is greater than others.

2. *Parasite index.*—Twenty-eight films were taken from febrile cases and six from afebrile cases (but had fever previously). Result is shown below:—

Cases.	Number of slides examined.	Malaria parasites found.	Percentage.
Febrile cases	28	23	82·2
Afebrile cases	6	1	16·6
Total ..	34	24	70·5

These films were taken by the second week of January, 1932, at my first arrival here.

3. *Adult mosquito identification.*—Four hundred and seventeen adult mosquitoes were examined; out of which 384 A. fuliginosus, 26 A. barbirostris, and 7-A. vagus were identified.

4. *Larvæ identification.*—Almost all the tanks and *bils* of this area were searched and the following were collected and identified: (1) Larvæ of A. barbirostris, and (2) A. fuliginosus.

5. *Rough sketch of the area.*—The rough sketch of the affected area showing the recent physical changes in water channels is given herewith. This part of the land is not flooded by river water. The only source is the rain. The area contains a number of *bils*, *khals* and low lands which become overflooded by rain water causing damages of rice cultivation. These *bils* and low lands have each some *khals* (water channel) for evacuation of its water, which, however, in the last few years were silted up. Last year during the dry season, these *khals* were all re-excavated by the people of the locality with the result that the water of the areas drained much more than in previous years and the cultivation of rice a bit improved. The eastern bank of the large Pabdadhar *bil* is more slopy than the western bank which is rather more uneven. This might have given rise to a larger breeding area of the mosquitoes.

6. *Movements of the people of the locality.*—The population of the locality is almost stationary. Only a very minor part goes occasionally to Assam and Upper Burma for cultivation of rice. After the riot in Burma in the last year they returned back to live in this country. A few who migrated to Assam have returned back owing to their ill-health there (malaria).

7. *Temperature and rainfall.*—Temperature and rainfall in the last rainy season, according to the version of the people of the locality, were as in other previous years.

Level crossing at Serampore and Baidyabati, East Indian Railway.

98. Rai SATISH CHANDRA MUKHERJI Bahadur: (*a*) Is the Hon'ble Member in charge of the Public Works (Railways) Department aware—

(*i*) that there are two level crossings on the main line of the East Indian Railway at Serampore and Baidyabati; and

(*ii*) that these level crossings are kept closed long before the approach of the trains as also by unnecessary keeping of goods trains on the railway line to the inconvenience of and loss to the public?

(b) Are the Government considering the desirability of issuing instructions to the East Indian Railway authorities so that railway crossings—

(*i*) may be kept open when there are no trains approaching; and

(*ii*) may be closed five minutes before the approach of the passenger trains and also that the railway line be not kept blocked and level crossings closed by the goods trains being allowed to stand there?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) (*i*) Yes.

(*ii*) Reports have been received by Government regarding the alleged obstruction.

(*b*) (*i*) and (*ii*) The matter has been taken up with the Railway authorities.

Maulvi ABUL KASEM: Will the Hon'ble Member be pleased to state whether in view of the heavy motor vehicular traffic passing over these crossings, Government is prepared to ask the railway authorities to have an underground or overhead bridge?

The Hon'ble Mr. A. MARR: I may say that the present proposal is to construct a diversion for the slow traffic so that motors may go through the existing crossings and that would mean that the level crossing on the main railway line would have to be opened at much longer intervals than at present. That matter is now under consideration.

Works under the Bengal Agricultural and Sanitary Improvement Acts.

99. Maulvi AZIZUR RAHMAN: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) the number and names of works done or undertaken by Government up to the year 1931, under the Bengal Agricultural and Sanitary Improvement Act of 1920, in each of the districts of Bengal; and

(*ii*) the total amount of money spent or to be spent for those works?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*i*) and (*ii*) Government do not maintain any record of such works and it is regretted that the information cannot be compiled by inquiries from the districts before the end of this session.

Statement laid on the table giving the information promised by the Hon'ble Member in charge of the Political Department in reply to clauses (e) and (f) of starred question No. 47 put by Seth Hunuman Prosad Poddar on the 15th February, 1932.

	Dacca.	Noakhali.	Tippera.	Mymensingh.
(e) Offenders brought to justice and punished.	Nil ..	(1) Injunction under section 144, Criminal Procedure Code, issued against nine persons. (2) Fourteen persons threatened under section 107, Criminal Procedure Code, but let off with a warning. (3) Three served with notice under section 4, Bengal Emergency Powers Ordinance.	A number of leaders have been dealt with under the Bengal Emergency Powers Ordinance and section 17 of the Indian Criminal Law Amendment Act. Some have also been dealt with under sections 323, 147, 353, Indian Penal Code, and 107 and 144, Criminal Procedure Code.	(1) Warning notices were issued in some cases. (2) Six persons served with notice under section 144, Criminal Procedure Code. (3) Two persons served with notice under section 4 of the Bengal Emergency Powers Ordinance. (4) Others personally warned by District Magistrate.
(f) (i) How many persons have been arrested?	Does not arise	Nil ..	263	Nil.
(ii) How many have been convicted?	Does not arise	Nil ..	56	Nil.
(iii) How many have been restrained or otherwise dealt with?	Does not arise	Nil ..	84	Nil.

Maulvi ABUL KASEM: Will the Hon'ble Minister be pleased to state if it is not a fact that every work undertaken under the Bengal Agricultural and Sanitary Improvement Act, is done by the District Magistrate and the accounts of such works are kept in the District Magistrate's office?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Very likely.

Maulvi ABUL KASEM: Is it not a fact that under the Act, the District Magistrate has to do the work?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: No.

Maulvi ABDUL HAKIM: May I know the date on which the question was put?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I would suggest the member to repeat his question at the next session of the Council.

Certificate under section 72D of the Government of India Act.

The Hon'ble Mr. A. MARR: Under section 92 of the Bengal Legislative Council Rules and Standing Orders, I beg to lay on the table of the Council a statement showing the action taken by the Local Government together with a copy of the certificate in connection with the demand under "9A—Scheduled Taxes."

Certificate.

I hereby certify that the entire expenditure provided for by the demand of Rs. 15,000 under the head "9A—Scheduled Taxes" is essential to the discharge of my responsibility for the subject.

F. STANLEY JACKSON,

Governor of Bengal.

CALCUTTA:

The 24th March, 1932.

DEMANDS FOR GRANTS.

The discussion of the demand under the head "32—Medical" was then resumed.

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 2,78,700 under the head "32B—Hospitals and dispensaries—Grants-in-aid, contributions and donations" be reduced by Rs. 100.

Sir, the necessity for supplementing the present up-to-date requirements for the treatment of tuberculosis, has become so pressing that it cannot be delayed any longer and in order to prove it, I beg to state some facts from the observations of the late Rai Bahadur Chunilal Bose who read a paper on the subject some time ago and it was published by the Public Health Department. This is what he said:—

"It was at one time most prevalent in Europe whence it got the name of 'white-plague.' The adoption of well-organised sanitary and preventive measures and improved general and personal hygienic conditions, have largely contributed to a reduction in the incidence and mortality of the disease in the West during recent years. While it is now declining in the West, it seems to be increasing to an alarming extent in India.

It is a disease of darkness, dirt and foul air. It, therefore, clings tenaciously to people living in the congested areas of towns. Country-areas are generally free from its ravages, unless the infection is carried there from towns. It is a matter of grave concern that the death-rate from tuberculosis is rapidly increasing in the chief towns of India. The population of Bengal is roughly 46,500,000, of which about 800,000 people suffer from tuberculosis. About 550,000 people in Bengal have their lungs affected by this disease, and each of them is an active centre of infection."

Mr. PRESIDENT: Dr. Ghose, are you going to give an elaborate history of the disease? Under the terms of your motion your principal object should be to show that the grant is inadequate for the purpose for which it is being given. I do not mind it if what you have said is merely introductory.

Dr. AMULYA RATAN GHOSE: Sir, I am going to show that the intensity of the disease is such that the grant is quite insufficient. I will simply make an introductory reference to the prevalence of the disease. About 1,000,000 of people die annually in India of this terrible disease, and the annual mortality in Bengal alone is about 100,000.

The disease is prevalent in Calcutta at the present moment. It is responsible for about 3,000 deaths annually in this city. In 1918, it was 1,820, in 1927 it was 3,023 and in 1928, 2,851, including figures for the added area. A much larger number of people suffer from it and are thus more or less invalidated. These cases form potent sources of infection. In the absence of any effective control, the disease is rapidly gaining ground in the city. The death-rate from tuberculosis alone in Calcutta during the last 10 years is as follows:—

Year.	Total number of deaths.	Year.	Total number of deaths.
1918 ..	.. 1,826	1924 ..	.. 2,492*
1919 ..	.. 1,889	1925 ..	.. 2,586*
1920 ..	.. 2,120	1926 ..	.. 2,871*
1921 ..	.. 2,208	1927 ..	.. 3,023*
1922 ..	.. 2,216	1928 ..	.. 3,880*
1923 ..	.. 2,089		

*Including the figures for the added area.

If we compare the death-rate per 1,000 in Calcutta with that of the other principal cities of the world, we find that whereas it is 2·5 in Calcutta, it is 2·9 in Madras, 2·8 in Paris, 1·4 in Bombay, 1·2 in Boston, 1 in London, 1 in Edinburgh, ·84 in New York and ·8 in Chicago. Now what does this high death-rate mean to Calcutta and

Bengal? It means that besides loss of useful lives Calcutta loses about Rs. 10,00,000 annually, and Bengal Rs. 2,00,00,000, in loss of wages due to tuberculosis alone. It is high time that something should be done to check the onward course of the disease.

Now, Sir, the Bengal Public Health Department advise the people in the following terms:—

"Advanced cases of tuberculosis, that is, those cases where the disease is well developed, are the most dangerous to the public and the most difficult to cure.

Every advanced case of tuberculosis should be in a sanatorium.

Sanatoria offer the best chance, usually the only chance, of cure to an advanced case.

They also protect healthy citizens from danger of infection from advanced cases of tuberculosis.

There are fewer deaths from tuberculosis in those localities where sanatoria are established for the care of tuberculous persons.

One person out of every ten who die in Bengal dies from tuberculosis.

One child out of every ten dies from tuberculosis."

About this disease I may say that the hospitals already in existence are not sufficient to cope with the great demand, I might say the demand made by the sufferers from this disease and that if the grant be not made sufficiently adequate, then the sufferers will not get admission into the hospitals which exist at present. As to the necessity for providing hospitals with up-to-date requirements it is necessary for me to quote the following:—

3-45 p.m.

"As already mentioned it was the effect of isolating the sick persons, not only for the sake of treating the disease but also for the sake of preventing the spread of infection, which more than any other measure caused the decline of tuberculosis in the West. In India where we probably have to deal with millions of active cases of tuberculosis, it is out of all consideration to build sanatoria and hospitals with even a reasonably adequate supply of beds to deal with such overwhelming numbers. But this does not mean that much cannot be done in India where climate and customs allow of much simpler construction than are required in the West. A real campaign will never be started before a number of smaller special hospitals are constructed near cities and towns, for treatment of those patients who are too sick to travel to a sanatorium in a better climate or cannot do so on account of lack of accommodation or for any other reasons. These patients should be cared for in such hospitals and thereby also be isolated from their surroundings and cease to be sources of infection.

The construction can be very light, as the buildings need only be open shelters with a good protecting roof which may even be of thatch, and an easily disinfected floor. With very little outlay, such hospitals can be constructed for at least 50 beds. This remedy, which might be of the greatest consequence in bringing on a decline in tuberculosis in India, will become a total failure even worse than no measure at all, if the treatment in these special hospitals is not in the hands of thoroughly-trained doctors who have real experience in the treatment of the disease and who can bring relief and even cure, to many cases, formerly outside the scope of help. In this connection I can mention the value of pneumothorax treatment."

This is the opinion of the League of Red Cross Societies.

Now, the treatment of tuberculosis is conducted only in two or three hospitals in Bengal. Excepting these hospitals, this treatment is not prevalent anywhere in Bengal, and therefore the patients have to come to these hospitals from long distances, such as Chittagong, Burdwan and Midnapore. If a patient wants to get successful treatment of tuberculosis, he will have to incur a heavy expenditure in travelling from that remote corner of the province to Calcutta to avail himself of that treatment. Otherwise, there is no possibility of the patient getting successful treatment and cure of tuberculosis. Also for want of sufficient funds, these hospitals cannot accommodate a large number of patients. In this connection I shall read only a small extract from the annual report of the Tuberculosis Association of Bengal, 1931: it was published by Mary H. Y. Remfry, M.B., B.S. (Lond.):—

"Owing to the resources of the Medical College Hospital regarding space, equipment, laboratory, X'rays and adequate staff being made available, this dispensary (the 'Chest' department of the Medical College Hospital) has now become the most well-equipped, where many advanced techniques are being employed for diagnostic work. But owing to the large number of patients coming from widely apart and outlying areas, it has not been possible for the small staff of Tuberculosis Health Visitors to visit all cases. Hence, the Tuberculosis Health Visitors have concentrated on the visiting of only 'open' (or tubercle bacillus positive) cases, teaching the inmates of the homes how to take care of the patient, how the spread of infection may be prevented and inducing the 'contact' cases to come to the dispensary for a thorough examination regarding evidences of infection or disease. Very soon after opening the dispensary a good number of cases were found who were suitable for treatment by artificial pneumothorax but who could not be accommodated in any hospital owing to dearth of beds. Hence a new departure was made in October, 1931, in making this treatment available at the dispensary. As this

treatment has to be carried on for at least three years, patients discharged from hospitals and sanatoria can enter and are entering into the dispensary rolls."

Now, from this I think, it is abundantly clear that except the Medical College Hospital or one or two hospitals of that type, there is no other up-to-date equipped hospital in Bengal. In Asansol and Kharagpur, people suffer from tuberculosis as much as the people of this town. It is, therefore, highly necessary to equip the hospitals of those places with the most up-to-date arrangements for the treatment of tuberculosis. Early diagnosis of the disease is absolutely necessary and if diagnosed in time, many patients' life may be saved. But for early detection X'rays are very necessary and X'rays are not available except in these hospitals in Calcutta. A patient has to undertake a long journey to come to Calcutta for diagnosis and that even when the disease has already reached a stage for the doctors to declare it as hopeless. To avoid this difficulty, every hospital in Bengal ought to be equipped as far as possible with an X'ray apparatus and the hospitals should also be provided with doctors who have special training in the treatment of tubercular diseases. The disease is rapidly advancing in all strata of society. The data published by the Tuberculosis Association of Bengal and by the annual reports of various sanatoria in India, show that women are the worst sufferers, next come the students and then other classes of people. In this connection I think economic loss might also be mentioned, and I quote the following from the *Calcutta Municipal Gazette*, dated the 23rd March, 1929:—

"Calcutta loses annually Rs. 10,00,000 in loss of wages due to tuberculosis. Bengal loses annually Rs. 2,00,00,000 in loss of wages due to tuberculosis. India loses annually Rs. 20,00,00,000 in loss of wages due to tuberculosis. Permanent loss due to death would be many times more.

The needs of Calcutta and Bengal.—Calcutta needs 3,000 hospital beds for advanced cases of tuberculosis. Calcutta hospitals have thus far made provision for only 50 cases. Paris hospitals accommodate over 2,000 such cases. New York aims at providing as many beds as there are cases. Bengal requires 120,000 hospital beds for the consumptives.

Calcutta needs at least 20 anti-tuberculosis dispensaries to take care of the tuberculous and to educate the public. Paris has already 25 and France 500 such dispensaries. Bombay has one, Madras has one, Calcutta has quite recently started one under the auspices of the Tuberculosis Association of Bengal. Bengal needs sanatorium accommodation for 80,000 cases of lung-tuberculosis. She has hitherto

provided for only 8 beds (Jadabpur Sanitarium). France has provided for 12,000 beds and the United States of America, 70,000 beds for such cases.

Bengal has not yet been able to make any provision for sanatorium accommodation for her 30,000 children suffering from bone and glandular tuberculosis. France has been able to attend to 10,000 such children.

There are 32,000 children of poor physical build and pre-tubercular disposition, who badly require to be placed in open-air schools, like that of Santiniketan at Bolpur. France is already taking care of over 5,000 such children.

Having attended to this scheme, the hospitalisation of advanced cases would be found to be an immediate necessity, for not only do a certain number of them improve, but it segregates *foci* of infection from society."

I shall now give you certain figures which will be enough to show how the disease is spreading in Calcutta, in comparison with other cities in the world. The death-rate from tuberculosis in Bombay is, 1·4 per 1,000, Singapore 1·5, Calcutta 2·5, Madras 2·9 and Rangoon 3·5. So Calcutta stands third in the list in respect of deaths from tuberculosis. The necessity for the equipment of hospitals has been amply demonstrated by these facts and figures, and it is now up to Government to say whether the grants should be increased or not for equipping the hospitals with the up-to-date requirements for the treatment and care-taking of the tubercular patients in Bengal. I hope that Government will give very generous consideration to this matter, because it is eating into the vitals of our society. The disease has become so very prevalent that it is practically taking away the most useful members of the society, especially in the prime of their life. Therefore, I think, the necessity is felt not only by one or two members of this House, but practically every one who has sympathy for the suffering public of Bengal.

With these words, I commend my motion to the acceptance of the House.

Rai Dr. HARIDHAN DUTT Bahadur: On a point of order, Sir. There is a motion No. 923 in my name in which I have suggested the raising of a discussion on the very same question. May I have your permission to move it?

Mr. PRESIDENT: I have already decided that all matters which are identical should be taken up together; so I have no objection to your moving No. 923, but in that case, motion standing in the names of Maulvi Hassan Ali and Maulvi Syed Jalaluddin Hashemy should be moved first.

The following motion was called but not moved:—

Maulvi HASSAN ALI and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 21,56,000 under the head '32B—Hospitals and dispensaries' be reduced by Rs. 1,000 (inadequacy of grant to the Jadabpur Tuberculosis Hospital)."

4 p.m.

Rai Dr. HARIDHAN DUTT Bahadur: I beg to move that the demand of Rs. 2,52,000 under the head "32C—Grants for medical purposes" be reduced by Re. 1 (to raise a discussion about the grant to the Jadabpur Tuberculosis Sanitarium). Sir, my work has been very much simplified by Dr. Ghose who has placed before this House an elaborate description about the incidence of tuberculosis in Bengal. He has already placed before this House important particulars about this fell disease. I would not like to take up the time of this House by reiterating them. I only point out, and the Surgeon-General present here will no doubt bear me out, that during the last two decades, we have learnt that tuberculosis can only be fought in three different ways. The first is with a view to prevent the spread of the disease, the second to treat early cases in sanatorium with a view to recover them as far as possible and thirdly to segregate in hospitals and refuges persons who have long suffered from tuberculosis and are not likely to be cured and will eventually die from the same. For these three different ways, we have to provide for necessary measures. I am glad to find that at the present moment there is a Tuberculosis Association in Bengal under the auspices of very influential persons who have been devoting their life and energy for the purpose of meeting the first point, namely, to prevent the propagation of the disease as far as possible. That work deserves every sympathy and support from all responsible persons in the Government. I am glad to find that the Association has been receiving some attention, although I contend that what has been done is very little. Government ought to spend sufficient money and provide measures necessary for preventing the propagation of this disease. I know, Sir, that the order I am calling for is big. I also fully realise that the difficulties in the way are tremendous. But at the same time the Government of Bengal should not forget its responsibility and I hope the Surgeon-General or my friend the Hon'ble Minister will not merely say that all that was necessary and could be done, had already been done.

Next I come, Sir, to the question of sanatorium treatment for early cases of tuberculosis. I think, I may state before the House as a medical man that with the present state of our knowledge, it can be asserted without fear of contradiction that tuberculosis is a curable disease; 35 years ago when we were students in the Medical College, we were taught that the disease was incurable. In those days there

was no serious attempt to cure the disease and to spend large sums of money for that purpose was considered by responsible men as something futile. But all this has changed. It cannot be denied that with proper care and treatment tuberculosis is curable, but that cure can only be obtained in what is known as sanatorium. Bengal, unfortunate as it is in respect of climate, tried to take advantage of sanatoria in other parts of India. For some time past medical men in Calcutta sent their tubercular patients to distant sanatoria in different parts of the Punjab, Bombay and various other places, not having any sanatorium which Bengal may claim as her own. This continued for some time and we were led to believe that Bengal had no suitable place for a sanatorium. So it came to this that while it was the crying need to have a sanatorium for Bengal, it was considered not worth while to have one within this province. Since then, however, our knowledge has changed. I hope the Surgeon-General will not contradict me when I say that the present opinion amongst medical men is that a sanatorium can be started anywhere. This has not only been proved by the opinion of experts, but it has also been demonstrated to be true by some gentlemen who collected some money and established a sanatorium near at hand at Jadabpur. This sanatorium was first established on the nucleus of the organisers by the donation of a young man who had lost his life from tuberculosis, but many medical men doubted the wisdom of the course and thought that it was going to be a failure because the climate here is considered to be moist, very hot and not suitable for a sanatorium. Years have now passed away and I am glad to say that the Jadabpur Sanitarium has given the lie to those statements. It has proved that a large number of cases of early tuberculosis have been successfully treated there. It is not a place for advanced cases of tuberculosis and is not a hospital in that sense. It is a sanatorium and its reports show that wonderful results have been obtained. Many persons with symptoms of early tuberculosis after remaining there for some time have been discharged, apparently cured and perhaps in a few years' time it will be possible for us to say whether they have been permanently cured or not. Whatever that may be, in this connection I cannot but call attention to the opinion of Dr. Crake, the Health Officer of the Calcutta Corporation, now dead. He recorded his opinion that "The idea that all sanatoria must be in ideal climates has long been abandoned." As Sir Robert Philip, the great authority on tuberculosis, says "There is now general recognition of the fact that as tuberculosis occur anywhere in like manner it can be cured anywhere." Dr. Latham in his book on the diagnosis and modern treatment of pulmonary tuberculosis regarding the climate and position says: "I would say at once that most physicians who have had much experience of sanatorium treatment and who have watched patients for some years after their return from a sanatorium, agree that as far as possible all patients should be treated under the same

climatic condition as those which they are likely to experience in their subsequent life." This experiment at Jadabpur, as I have already said, belie the theory that a sanatorium cannot be started in the vicinity of Calcutta. It has been demonstrated by actual facts that a sanatorium can be useful near Calcutta. I, therefore, ask the Government to give up any idea of spending money for sanatoria elsewhere and concentrate their energy and resources for the improvement of the Jadabpur Sanitarium. I understand from the authorities of the Jadabpur Sanitarium that they are handicapped for want of money. Naturally, Sir, because it is not a Government institution receiving regular financial support from Government. They have got to find every single rupee which they have to spend on it. You can understand the difficulty in these days of raising large sums of money for an institution of this kind, from the public.

Now that difference of opinion has disappeared, we appeal to the Government of Bengal to concentrate their energy to foster this institution and make it a proper sanatorium for the people of Bengal. My friend Dr. Ghose has pointed out that a large number of tubercular patients are hovering round about us. This is very true. Is there amongst us a man who may say that he has not lost a near and dear one through this fell disease in his family, be he poor or rich? If you can do something against this disease, certainly the money will be well spent.

Now I come to the third point about hospitals for tuberculosis patients. Dr. Ghose has enumerated the number of hospitals in various places and I appreciate what he has said. But may I point out to him that the provision of X'ray apparatus in every hospital is a big order and is not within the realm of practical politics. Instead of spending money on such costly apparatus, and expert staff for the same, can we not spend a portion of the money in a better way for the tubercular patients? The X'ray has certainly done wonders but I have to learn as yet that X'rays have helped us in the diagnosis of the very early cases of tuberculosis. In practice, we find that the disease in advanced stage, can be detected by X'rays. But when tuberculosis has to be diagnosed at its very early stages, I do not know how far the X'ray will be of sure help. Therefore, what I intend to do in this connection is only to express my sympathy for the suggestions of Dr. Ghose, but I do not consider that in our present resources it would be practical to insist for X'ray apparatus in every hospital. Sir, we must concentrate ourselves first to the two important measures, namely, the stopping of the propagation of the disease and arranging for sanatorium treatment of early cases of tuberculosis. I do not ignore the necessity for doing something for those who are in an advanced state of the disease. Arrangement should no doubt be made for them in proper places in order to let them live the last days

of their lives in comfort. This is what I have got to say on this question and I commend my motion to the acceptance of the House.

Mr. J. CAMPBELL FORRESTER: Sir, I rise to support the motion that has just been moved in connection with tuberculosis. When I heard the Hon'ble Mr. Marr introducing his budget, I waited patiently to hear him mention that something had been allotted to tuberculosis and also the leper colony scheme but I was disappointed. Well, Sir, this may be called his dying budget. We have all heard of the swan's dying song, but unlike the dying swan, there is not a pleasant note in Mr. Marr's dying budget. As a matter of fact when he had finished, I imagined I heard the wail of his favourite bagpipes playing "The Land of Leal", a death dirge—the burial of financial Bengal, and I could see him in imagination in his retirement returned to his Highland home, playing his favourite game of golf among his favourite Highland hills, toping his ball as he drives off, being unable to concentrate on his game for thinking of the awful financial debacle he has left behind him in Bengal. But, Sir, I would have thought that that kindly heart that beats beneath his ample proportion would have found ways and means to have helped me to realise my ambition for the poor leper and the poor tuberculosis patient. In spite of earnest promises and words of sympathy another year has come round and I do not see any special provision made for either of these deserving causes. A little has been given for leprosy but nothing for tuberculosis. We all like the Hon'ble Mr. Marr. Although he does not always act as we would wish him, you cannot help liking him. We like him for engaging quality of frankness not always found in Ministers. Most of them try to keep the bat in the bag. We find Mr. Marr walking about as usual. He seems physically fit as other men, but financially he is ghost.

The Hon'ble Lieut. Singh Roy last year privately promised that some money would be given from another fund to tuberculosis, but he did nothing. This is somewhat like the following notice in a society paper: "We beg to announce that * * * * Mr. Macpherson is spending his holidays in London—but that is all he is spending. Like the Hon'ble Lieut. Singh Roy he is spending his time in thinking, he will do it but that is all he is spending."

Now, to come to the serious point of tuberculosis, I am not going to deal with the appalling figures which have been gone into so fully by the previous speakers because that will only tire the House. Let us try to boil it down so that the House can in its imagination see what is happening. We have been told in the speeches of previous speakers that a lakh of people die every year in Bengal of tuberculosis, and ten lakhs are affected with it. To help the House to grasp this let us take the population of Howrah. The population of Howrah is about 3 lakhs. Just imagine that a third of the population of Howrah is

wiped out every year by this terrible scourge, tuberculosis, then there is in Bengal a million affected, an amount equal to whole of Calcutta population, numbering about a million, are more or less affected. This is a terrible picture. One doctor came from Argentine to study the question of leprosy but he discovered that in Bengal the question of tuberculosis was of a more serious nature than leprosy and demanded more urgent attention. I want to give some suggestions to the Government. I want this because as soon as we have finished the business here, Government will inform us while they have every sympathy that they have no money. Well, that reply does not always appeal to me for there are methods of raising funds but Government's lacking in imagination does not consider new method of how to get money. In the Corporation this week a resolution was moved with the object of introducing a lottery. This method was turned down. I am glad it was turned down, for, as far as I am personally concerned I am still of the Victorian age and I do not want to see suffering made better, by more suffering made through gambling. I am not going to suggest that Government should make money through gambling. The lottery scheme has been turned down by the Corporation. However I suggest to the House this ideal of how to raise funds for tuberculosis: one anna should be charged per head for all those who enter a cinema or other places of entertainment on Sundays. That is my suggestion to the Government. It can be easily collected by the Amusement Tax collectors and then it can be allotted to the various hospitals. I hope that Government will take this suggestion into consideration.

I would like to say just a word or two on my hardy annual—the Midnapore Leper Scheme.

Mr. PRESIDENT: We have nothing to do with that.

Mr. J. CAMPBELL FORRESTER: As this is my only opportunity, I should like to say a few words with your permission. Most of the members of this House are not perhaps aware that a gentleman gave Rs. 50,000 for a leper colony a few years ago.

Mr. PRESIDENT: We have nothing to do with that.

Mr. J. CAMPBELL FORRESTER: If I am out of order I shall sit down but I wanted to take this opportunity to invite the Government's attention on this subject once more for the 5th or 6th time.

[At 4-20 p.m. the Council was adjourned for prayer and it reassembled at 4-35 p.m.]

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I am afraid we have drifted far away from the amendment of Dr. Amulya Ratan Ghose. His amendment was——

Mr. PRESIDENT: There are two amendments.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes, one has been moved by Dr. Ghose and the other by Rai Bahadur Dr. Haridhan Dutt, I shall first reply to the arguments advanced by Dr. Ghose. His amendment is: That the demand of Rs. 2,78,700 under the head "32B—Hospitals and dispensaries, grants-in-aid, contributions and donations" be reduced by Rs. 100 because he considers the grant to be inadequate and he also wants the recipients of the grants to be asked to arrange for the up-to-date treatment of tuberculosis.

First of all I must point out that this sum includes a grant of Rs. 15,000 to the Eden Sanitarium, Darjeeling, a sanctioned grant of Rs. 1,34,000 for hospitals, a grant of Rs. 87,000 to the rural dispensaries, Rs. 25,000 to the Calcutta Medical Institute, Rs. 17,000 for the Leper Asylum and an emergency grant of Rs. 14,000. I do not exactly follow what the hon'ble member means by proposing a reduction of this grant. Certainly he does not object to any money being paid to the Calcutta Medical Institute. It is a capital grant which we propose to pay them. We paid them Rs. 25,000 last year and propose to pay Rs. 25,000 also this year. Similarly Rs. 17,000 for the Leper Asylum includes capitation grant to several asylums at Raniganj, Bankura and other places where the missionaries are doing most useful work. I am sure Dr. Ghose does not object to Government making over this money to these useful institutions. The grant of Rs. 87,000 to the rural dispensaries is meant for the thana dispensaries. Whenever a thana dispensary is opened at *sadar*, Government make a contribution of Rs. 500 and when one is opened in a rural area, they make a contribution of Rs. 250. I understand these dispensaries are discharging a very useful function and are meeting to a certain extent the medical needs of the people in these areas. So it will be a mistake, if I may say so, to reduce the grant on this head.

Dr. Ghose wants that these small dispensaries should arrange for the up-to-date treatment of tuberculosis, but he must realise what an up-to-date arrangement for the treatment of tuberculosis would cost. It is certainly beyond the financial ability of rural dispensaries to put up up-to-date arrangements for treating tuberculosis.

Next I shall take up the amendment moved by Dr. Haridhan Dutt.

Dr. AMULYA RATAN GHOSE: What I meant was that hospitals as well as rural dispensaries should be helped and not simply rural dispensaries, as stated by the Hon'ble Minister.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The Calcutta Medical Institute is still under construction and we are paying them Rs. 25,000 as a capital grant and I do not think they are in a position to put up up-to-date arrangements for the treatment of tuberculosis there.

Dr. Dutt has taken up the cause of the Jadabpur Tuberculosis Sanitarium. I appreciate his anxiety for helping this institution; it is certainly doing very useful work and Government are not wanting in sympathy for it. For the information of the members I may say that Government have already contributed a lakh of rupees as capital grant towards the construction of the building of this institution.

Dr. AMULYA RATAN GHOSE: In which year?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Two years ago. There is an application from the authorities of the Jadabpur Sanitarium for a further grant of Rs. 4 lakhs to purchase the adjoining land for the sanitarium, but I ask the members to judge for themselves whether it is possible for Government in the present state of their finances to make a capital grant of Rs. 4 lakhs for the purchase of land.

The Medical College Hospital with the help of the Tuberculosis Association started a dispensary for the treatment of tuberculosis and that is doing very useful work. In their report for the year 1931, the Tuberculosis Association acknowledge the very useful work done by this dispensary. They say that owing to the resources of the Medical College Hospital regarding equipment, laboratory and adequate staff being made available this dispensary is becoming well fitted where advanced technique is being employed. This help is entirely due to the contribution which has been made by Government and I do not think that Government can be charged with indifference to the needs of the public in this matter.

Dr. Ghose has suggested that Government hospitals should be provided with X-ray apparatuses for the diagnosis of tuberculosis. For his information and for the information of the hon'ble members of this House, I may say that there are X-ray apparatuses at the Dacca, Chittagong, Mymensingh, Burdwan, Berhampur, Howrah, Campbell, Sambhunath Pandit, the Presidency General, and the Medical College hospitals. So I do not think that the argument is sound and at all justifies the charge that Government have not provided up-to-date arrangements essential for the diagnosis of tuberculosis.

My friend, Rai Bahadur Dr. Haridhan Dutt, has urged that the Government should concentrate their resources on helping the Jadabpur Tuberculosis Sanitarium. As I have already pointed out Government have paid Rs. 1,00,000 to this body and when the financial position of Government improves they will certainly consider the question of

making a further grant to them. But it is not possible for Government to hold out any hope at present. Moreover, he knows much better than any one else that the treatment of tubercular cases is a very expensive one, especially because of the cost of diet, and it cannot be undertaken by each and every hospital.

Mr. Campbell Forrester has suggested that Government should start lotteries to raise funds to help the Tuberculosis Association. This hint unfortunately will not help me but may help my colleague the Hon'ble Mr. Marr.

With these words, I oppose these two motions.

Mr. NARENDRA KUMAR BASU: I rise to support the amendment moved by Dr. Haridhan Dutt. I am bound to say that the reply that the Hon'ble Minister has given to the speeches we have heard here, if I may say so, is extremely halting. What the Hon'ble Minister had been pleased to say (and probably that is what he meant to convey by his argument) is that the assistance given to the Jadabpur Tuberculosis Sanitarium two or three years ago in the shape of Rs. 1,00,000 is quite enough and that lip sympathy from Government should suffice for the Jadabpur Sanitarium. He himself stated that the modern treatment of tuberculosis is an expensive business. I am a layman and I do not know anything about the treatment of tuberculosis or any other disease but I do submit that the Hon'ble Minister himself says that the treatment of tuberculosis is an expensive business. He expresses some lip sympathy and says that in the Medical College Hospital something is being done for tuberculosis patients and that nothing further need be done by Government. This, I submit, is absolutely not enough.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I have never suggested that nothing need be done by Government; I said that nothing can be done by Government at present.

Mr. NARENDRA KUMAR BASU: I have listened to the speech of the Hon'ble Minister very closely. If there had been any hint or any suggestion that Government were prepared to consider the matter of making a grant to the Tuberculosis Sanitarium in Jadabpur in the near future or next year, I would not have taken any chance of rising, but as I have just said, I am a layman and know nothing of the treatment of tuberculosis or any other diseases; but I do know that tuberculosis is a fell disease, which has taken hold of Bengal and is taking a very heavy daily toll out of its population, and if there is anything which justifies the existence of the Government Medical Department, it should be its fight against tuberculosis. The Hon'ble Minister says that because the Jadabpur Sanitarium got a capital grant of Rs. 1,00,000 three years ago and because it has asked for a further building grant

of Rs. 4,00,000, which the Government are not in a position to give, no other help should therefore be given to the Tuberculosis Hospital at Jadabpur. That is not a correct attitude and I submit that it is the bounden duty of Government to see whether or not out of their funds they can make an adequate grant to this sanitarium.

[Here the time-limit for the discussion of the demand under the head "32—Medical" was reached.]

The motion of Dr. Amulya Ratan Ghose was then put and lost.

The motion of Rai Dr. Haridhan Dutt Bahadur was then put and a division taken with the following result:—

AYES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Ali, Maulvi Hassan.
Armstrong, Mr. W. L.
Banerji, Mr. P.
Basu, Mr. Naresdra Kumar.
Birkmyre, Mr. H.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Choudhury, Maulvi Nural Absar.
Dutt, Rai Bahadur Dr. Haridhan.
Fazlullah, Maulvi Muhammad.
Forrester, Mr. J. Campbell.
Ghose, Dr. Amulya Ratan.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin
Hoque, Kazi Emdadul.
Hossain, Nawab Musharruf, Khan Bahadur.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Miller, Mr. C. C.
Momin, Khan Bahadur Muhammad Abdul
Mookerjee, Mr. Syamaprosad.
Ormond, Mr. E. C.
Rahman, Mr. A. F.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hosoni.
Roy Chaudhuri, Babu Hem Chandra.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Thomas, Mr. M. P.

NOES.

Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Bartley, Mr. C.
Basir Uddin, Khan Sahib Maulvi Mohammed.
Basu, Babu Jatindra Nath.
Blandy, Mr. E. H.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Burai, Babu Gokul Chand.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. R. B.
Das, Rai Bahadur Satyendra Kumar.
Ezzatji, Maulvi Nur Rahman Khan.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Gangati, Rai Bahadur Sushil Kumar.
Ghose, the Hon'ble Sir B. B.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Babu Prafulla Kumar.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hossain, Maulvi Muhammad.
Hussain, Maulvi Latafat.
Kerr, Mr. W. J.
Khan, Maulvi Amin-ur-Zaman.
Khan, Mr. Razaur Rahman.
Marr, the Hon'ble Mr. A.
Nag, Reverend B. A.
Nandy, Maharaja Sris Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Philpot, Mr. H. C. V.
Poddar, Mr. Ananda Mohan.
Prentice, the Hon'ble Mr. W. B. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.

Ross, Mr. J.
Roy, Babu Haribansa.
Roy, Mr. Saileswar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Saadullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Mr. B. R.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.

The Ayes being 30 and the Noes 57, the motion was lost.

The motion that a sum of Rs. 43,49,000 be granted for expenditure under the head "32—Medical" was then put and agreed to.

4-45 p.m.

The following motions under the head "32—Medical" were not called owing to the expiry of the time-limit:—

Babu SATYENDRA NATH ROY: "That the demand of Rs. 21,54,500 under the head '32B—Transferred—Hospitals and dispensaries' be reduced by Re. 1 (to urge upon the Government the urgent necessity of increasing accommodation in the Calcutta Medical College Hospital and Campbell Hospital)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 21,54,500 under the head '32B—Medical hospitals and dispensaries' be reduced by Re. 1 (to draw attention to the general negligence of hospital authorities in admitting poor patients)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 21,56,000 under the head '32B—Hospitals and dispensaries' be reduced by Rs. 101 (advisability of opening *Ayurvedic* dispensaries in the rural areas)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 21,56,000 under the head '32B—Hospitals and dispensaries' be reduced by Rs. 101 (to raise a discussion on the desirability of abolition of the fees charged for X'ray treatment in the Mitford Hospital, Dacca)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 21,56,000 under the head '32B—Hospitals and dispensaries' be reduced by Rs. 100 (inadequate contribution to Gopalganj and Pirojpur Subdivisional dispensaries in the districts of Faridpur and Bakarganj, respectively)."

Babu KHETTER MOHAN RAY: "That the demand of Rs. 21,56,000 under the head '32B—Medical—Hospitals and dispensaries' be reduced by Re. 1 (to raise a discussion about the failure to provide Rs. 70,000 as the sanctioned contribution towards the construction of the hospital at Comilla)."

MUNINDRA DEB RAI MAHABAI: "That the demand of Rs. 1,00,000 under the head '32C—Grants for medical purposes—Grant-in-aid to the Calcutta Hospital Nurses' Institute' be reduced by Rs. 501 (to discuss the desirability of encouraging the training of Bengalee girls as nurses)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 2,52,000 under the head '32C—Grants for medical purposes' be reduced by Rs. 1,000 (general policy, inadequacy of grants in the Jatia Aurbijnan Parishad and the Carmichael Medical College)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 2,52,000 under the head '32C—Medical—Grants for medical purposes' be reduced by Rs. 1,000 (to raise a discussion of grants to institutions other than Carmichael Medical College and Jatia Aurbijnan Parishad)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 2,52,000 under the head '32C—Grants for medical purposes' be reduced by Re. 1 (no provision for the establishment of a medical school attached to the Howrah General Hospital for the boys of Howrah and Bally)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 1,03,500 under the head '32D—Medical College—Pay of Officers' be reduced by Rs. 101 (to raise a discussion about the recent appointment of a Professor of Physiology for the college)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 2,01,000 under the head '32D—Medical College and Schools—Schools of Tropical Medicine and Hygiene Institute' be reduced by Rs. 5 (to discuss the difficulties of the patients who go to the School of Tropical Medicine for treatment)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 1,77,300 under the head '32D—Medical College and Schools—Superintendents and Teachers' be reduced by Rs. 101 (to discuss the appointment of competent persons as superintendents and teachers in the interest of medical education)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 5,51,000 under the head '32D—Medical College and Schools—Other Medical Schools' be reduced by Re. 1 (to raise a discussion about non-opening or otherwise of the 3rd year and 4th year classes of the Chittagong Medical School)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 8,78,000 under the head '32D—Medical College and Schools' be reduced by Rs. 100 (to draw the attention of the Government to the necessity of reserving a definite number of seats with stipends for the students of the backward classes)."

Babu AMULYADHAN RAY: "That the demand of Rs. 8,78,000 under the head '32D—Medical College and Schools' be reduced by Rs. 100 (want of any proper provision for the admission of the backward classes students into the medical colleges and schools)."

Babu AMULYADHAN RAY: "That the demand of Rs. 8,78,000 under the head '32D—Medical College and Schools' be reduced by Rs. 100 (want of any provision as special scholarship and stipends for the students of the backward classes as enumerated on page 189, Part I of the Calcutta University Commission Report)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 8,78,000 under the head '32D—Medical College and Schools' be reduced by Re. 1 (grievances of the students of the depressed classes)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 8,78,000 under the head '32D—Medical College and Schools' be reduced by Re. 1 (to press that the number of seats reserved for the Muhammadan students should be increased)."

Rai Dr. HARIDHAN DUTT Bahadur: "That the demand of Rs. 3,85,000 under the head '32E—Mental Hospital' be reduced by Rs. 10 (to discuss the desirability of having Bengal's own Mental Hospital)."

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 43,49,000 under the head '32—Medical' be reduced by Rs. 5,00,000."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 43,49,000 under the head '32—Medical' be reduced by Rs. 5 (to raise a discussion about the state and condition of different medical establishments, hospitals and dispensaries, grant for medical purposes, medical establishment and mental hospitals in Bengal)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 43,49,000 under the head '32—Medical' be reduced by Re. 1 (to draw attention to the inadequacy of the demand)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 43,49,000 under the head '32—Medical' be reduced by Re. 1 (to discuss the attitude of Government in forms of remedies other than Allopathic)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 43,49,000 under the head '32—Medical' be reduced by Re. 1 (to draw attention of the Government regarding the need of a sanitarium for tuberculosis patients in Bengal)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 43,49,000 under the head '32—Medical' be reduced by Re. 1 (no provision for the establishment of a sanitarium for tuberculosis patients)."

33—Public Health.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 38,71,000 be granted for expenditure under the head "33—Public Health."

Sir, like the Medical Department this department too has practically escaped the pruning knife of the Hon'ble Finance Member. The revised estimate of the current year and the budget estimate of the next year are almost the same. The slight decrease is due not to any curtailment of the activities of the Public Health Department but to small savings here and there and on account of the 10 *per cent.* cut in salaries of the staff. Sir, the items of expenditure which show some reduction are the rural public health units, maternity and child welfare grant, augmentation grant, grant for rural water-supply and that for the vaccination inspecting staff. I shall try to explain that all these reductions are immaterial from the point of view of maintaining the normal activities of the department and they are more apparent than real.

Sir, the reduction of Rs. 53,500 for the augmentation grant is due to expected fall in cess receipts. The augmentation grant is calculated on the cess collected in each district, and on account of the general economic difficulties and depression it is apprehended that there will be a fall in the collection of cess in every district; so a smaller provision has been made on a calculation on that basis.

The grant of Rs. 10,50,000 has been provided under "Rural Health units" in place of the current year's provision of Rs. 12,00,000. This reduced provision, however, does not really mean that Government has in any way curtailed the activities of the Public Health Department. The full provision of Rs. 12,00,000 was calculated on the basis of Government's maximum contribution of Rs. 2,000 to each health circle. Now

taking the number of health circles as 600 in the whole province, the sum of Rs. 12,00,000 was provided in the current year's budget. But it will be seen, Sir, that the Darjeeling District Board has not yet accepted the health circle scheme, and the maximum number of circles (600) has not been reached in consequence. Thus there was a saving of Rs. 1,75,000 in the current year's budget. There are at present 575 circles altogether and it will suffice if a provision of Rs. 10,50,000 is made for the next year.

The reduced provision of Rs. 35,000 for maternity and child welfare should prove adequate during next year. The items of normal expenditure from the provision are:—

Contribution to local bodies for maintenance of *dai* training classes Rs. 15,000; Rs. 10,000 for the Public Health Exhibition in Calcutta; Rs. 10,000 for similar exhibitions outside Calcutta.

The grants for health exhibitions during the current year have been Rs. 15,000, that is, Rs. 7,500 for Calcutta and an equal amount for the *mufassal*. So we have reduced the expenditure by Rs. 5,000, because that amount was not spent last year. Sir, it is not really a cut at all as we have maintained the normal activities of the department.

The grant for vaccination inspecting staff shows a small reduction of Rs. 4,000. This grant is utilised in giving contributions to the district boards to whom the vaccination inspecting staff has been transferred on the scale of Rs. 95 for inspector and Rs. 65 for sub-inspector. As the inspectors and sub-inspectors are either retiring or dying, the liability of the Government on this account is diminishing proportionately every year. The sum of Rs. 4,000, out of the provision of Rs. 64,000, has been saved during the current year as the whole amount was not necessary. The reduced provision of Rs. 60,000 will be sufficient during next year and that will be the consolidated Government contribution to the district boards for maintaining vaccination inspecting staff.

The provision for rural water supply scheme has been reduced by Rs. 25,000. Here also we have not really cut down the normal provision for rural water supply schemes. As a matter of fact, there were not many applications from district boards; there were only two applications —one I believe from the District Board of Burdwan and the other from the District Board of Chittagong for a grant of Rs. 25,000 and Rs. 50,000, respectively, and we advanced the full amounts.

This grant is spent partly in payment of the interest which these district boards have to pay to Government on the loans that are advanced to them and partly spent through the district magistrates in sinking tube-wells and tanks. Thus it does not mean that by the reduction of this grant the normal activities of the department in this direction will

be curtailed. There was practically a saving last year, so the Finance Department reduced the grant by Rs. 25,000, to avoid surrendering the unspent balance at the end of the year.

5 p.m.

The usual grant of Rs. 1,00,000 under head "Kalazar charges" has been provided for. There were in Bengal during the year 1930-31, 100 special kalazar centres run by whole-time doctors and nearly 200 centres run by subsidised doctors. The provision has been adequate during the current year and it will be sufficient for the next year. The grant of Rs. 50,000 is the normal provision for vaccination and will be sufficient for the purpose. This grant is allotted to district boards on the basis of their own expenditure on vaccination during the previous year. As for example, the whole expenditure of the district boards for vaccination in a particular year being Rs. 2,00,000, the Government contribution will be Rs. 50,000, representing a quarter of the expenditure.

The grants for anti-malarial measures and free supply of quinine are exactly the same as in the current year's budget. Besides these, the leprosy grant has been increased from Rs. 2,884 to Rs. 10,000. This amount the department proposes to spend on propaganda against leprosy and survey of leprosy in Bengal. So this is in addition to the sum of Rs. 17,000 provided for in the Medical budget besides capitation grant to some of the useful institutions, such as the leper homes at Raniganj and Bankura Leper Asylums where wonderful humanitarian work is being done by the missions.

Provision has also been made for the completion of four waterworks schemes which are in hand and a small amount has also been provided for the Rajshahi Water-works Scheme so that the work may be started if local contributions are available.

The work of Bhatpara Sewerage Scheme is also in progress; Rs. 2,70,000 has been provided in part payment of the total Government contribution. It is one of the most useful schemes that have up till now been undertaken by the department for the improvement of sanitation of the riparian municipalities. When the financial position of Government improves I hope it will be possible to undertake more such schemes in the interest of better sanitation of the urban areas.

It may be interesting to the House to know something about the activities of the Public Health Department in controlling the epidemic, especially cholera, which broke out in Mymensingh after the flood in August last. The Assistant Directors of Public Health of the Dacca and Rajshahi Circles, with a staff of 6 doctors and 10 sanitary inspectors, were deputed by the Bengal Public Health Department to help the local authorities in organising and carrying the necessary anti-cholera measures in the affected localities. Eight *thanas* of the Tangail

subdivision and 8 of the Jamalpur subdivision were severely affected. About 40,000 inoculations in Tangail subdivision and 25,000 in Jamalpur were done; 750 wells, 2,000 houses and 40 tanks were disinfected; 1,65,500 doses of anti-cholera vaccination and 51 cwt. of bleaching powder were supplied free by the Bengal Public Health Department for the use of the local population. Altogether up-to-date, the department has distributed 14,00,000 doses of cholera vaccination free of charge to all the district boards since September.

In controlling epidemics the rural health circles have proved to be of great use. Under the supervision of district health officers and the supervision of the Assistant Director of Public Health, these rural health circles are doing wonderful work and if the district boards do continue their share of the expenditure and supervision, I am sure the question of rural public health will solve itself in the near future.

With these observations, I commend the demand to the acceptance of the House.

Mr. PRESIDENT: I shall now take up the motions for reduction. But I may tell the House at this stage that you can discuss Nos. 944 and 945 together, and have one discussion.

The following motion was called but not moved:—

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 4,79,000 under the head '33A—Public Health Establishment—Director of Public Health' be reduced by Rs. 50,000."

Mr. NARENDRA KUMAR BASU: Sir, I beg to move that the demand of Rs. 1,17,000 under the head "33A—Chief Engineer, Public Health Department (Transferred)" be reduced by Rs. 1,000 (to call attention to the waste of money by the department on account of wrong estimates, etc.).

Sir, I have no desire to diminish in any way the force of the pats on the back which the Hon'ble Minister has been giving himself in having succeeded in getting the whole amount of his grant practically undiminished from the grasping hands of the Finance Member; but I beg to draw attention to the fact that he might possibly have managed with less money if he had considered the activities—shall I say misguided activities—of the department over which the Chief Engineer of the Public Health Department presides. Sir, this department, or rather this sub-department, is in charge of drawing up schemes of water supply and connected things for the provincial municipalities and district boards. Well, I have been looking through their activities for the last few years; and for the delectation of the House, I shall give one simple illustration as to how this department manages affairs. This ought to be very familiar at least to one Hon'ble Member—I mean the Minister for

Agriculture—because I am going to talk of the Comilla Municipality. In 1919, there was a scheme prepared or rather an estimate prepared by the Chief Engineer of the Public Health Department, that for a sum of Rs. 3,55,000, the department would supply pure drinking water to the rate-payers of the Comilla Municipality from the local river there. Well, Sir, the work was taken up in 1922—that is the first year of the report that I could lay my hands on. From 1923 to 1924 the work was in progress. In the annual report of the Chief Engineer for 1925, it is stated that this scheme has been completed at a cost of Rs. 3,40,835 and the source of supply was the river Gumti and in the course of the report, the Chief Engineer gave himself this bouquet that the original scheme has been completed within the estimated cost and there is a balance in hand for further pipelines, etc. Coming to the next year, *i.e.*, 1926, we find that the department spent another sum of Rs. 20,000, on what it is not stated; in the report it is said that the scheme has been completed (1925) and up-to-date, they spent Rs. 3,59,555 and they were giving 5·23 gallons for every rate-payer of the municipality. That is very good. In 1927, they spent another sum of Rs. 27,000 on what it does not appear; that is to say in 1927 the report says that the scheme was completed in 1925, and the expenditure up-to-date was Rs. 3,82,291 and they were getting the water from the river Gumti and the daily supply per rate-payer was 5·23. Coming to 1928, we find that a metamorphosis takes place and it is stated in the report that they spent another sum of Rs. 12,000, *i.e.*, the total expenditure amounted to Rs. 3,94,554, but the source of the supply was changed from the river Gumti to reserved tanks and tube-wells and the amount supplied to each rate-payer was 2·17 gallons, very much less than half of what they were getting before. It does not appear why the source of supply was changed. The next year's report, *i.e.*, 1929, the last report in which I find any mention of the matter, states that the total expenditure was Rs. 4,14,269, *i.e.*, very much over the original estimate and the source of supply was then said to be tube-wells alone, that is to say, an estimate of Rs. 3,65,000 from the river Gumti is changed in the course of 4 years to an expenditure of Rs. 4,14,269 and the source of supply only tube-wells and the amount of supply was only 3·75 gallons per rate-payer. In this connection, I am reminded of a story which, with your permission, Sir, I wish to relate to the members of the House to whom it may not be familiar. The story is regarding another Government department which I do not want to particularise.

Mr. PRESIDENT: Mr. Basu, is there any analogy between your story and the case under review?

Mr. NARENDRA KUMAR BASU: Certainly. If they were not analogous, I would not have troubled the House at all. In the list of tools and implements there appeared an item of "a steel trunk." Two

years later that item disappeared and there was an item of a trunk. Then two years later, there was another change and the item was of "a wooden trunk" and then again two years later the item was of "a wooden trunk eaten by white-ants." This is another analogous case in which the Public Health Department changed the Comilla Water-supply Scheme from the river Gumti at a cost of Rs. 3,40,875, in the course of 4 years to a scheme to cost Rs. 4,14,269 and the water to be supplied from tube-wells and the supply was diminished from 5·23 gallons to 3·75 gallons per rate-payer. If that is the efficiency of the department, the sooner this department's activities are curtailed the better it will be. With these words, I commend my motion to the acceptance of the House.

Rai KESHAB CHANDRA BANERJI Bahadur: Sir, in rising to speak on this motion, I confess that I claim no expert knowledge that the treatment of a technical matter like this may seem to require. But speaking from practical experience of the working of this department, I may say that the manner of preparing estimates of big works is open to serious criticism. The mover of this motion, Mr. N. K. Basu, has given particular about the administration of this department so far as it relates to the preparation of estimates. My connection with the municipality of Dacca as its Vice-Chairman for nearly a decade has given me the impression that the Engineering Branch of the Public Health Department of the Government of Bengal requires thorough overhauling.

It is known to Government that the Dacca Swerage Scheme which is now in full working order cost them Rs. 25,00,000. The scheme was entirely financed by Government from the grant of the said sum which was made to the municipality for the purpose of providing the city of Dacca with an up-to-date system of disposal of its swerage. The scheme was originally intended to sewer the whole of the city with the grant of Rs. 2,50,000; but ultimately it was found that the sum estimated would enable only the island portion of the city being sewered, that is to say, the portion separated by the Dobi Khan which runs through the heart of the town. When the matter was brought to the notice of Government and the point was stressed that in the interest of sanitation and public health the remaining portion of the city—part of ward I and the whole of ward VII—must also be sewered without which the bullock cart system could not be abolished, the then Chief Engineer, Mr. G. B. Williams, tried to explain away the mistake by putting forward reasons which were far from convincing. The unfortunate residents of Dacca had no other alternative than to rest content with the small mercy that had been doled out to them.

Then again, Sir, when the pumping station at Narindia was completed, it was run by Government for a few years, the cost being paid out of the municipal funds. Originally, the cost of running the pumping station was estimated, if I remember aright, at Rs. 13,000

only. In the next year, the municipality was told that Rs. 16,000 would be required to run the pumping station and the municipal commissioners protested but to no effect. The running cost was subsequently raised to something like Rs. 19,000 in the third year. Sir, I am speaking from memory and I quote these figures subject to correction as I severed my connection with the administration of the municipality more than two years ago. Then, Sir, the lands acquired for the sewerage outfall works were found to be inadequate and further acquisition was necessary. All this point to a state of things which is highly unsatisfactory, nay, I should say, condemnable, so far about the sewerage system.

The improvement of the Dacca Water-works has a long history behind it. The same thing happened in regard to the preparation of this important scheme. Three schemes had been prepared one after the other for the extension of the water-works and the amount varied materially in each of these estimates, and the municipal commissioners having no technical knowledge had ultimately to submit to the will of Government after registering a mild protest.

The elevated reservoir near the Victoria Park having a capacity of 125,000 gallons of water was erected at a considerable cost under the direct supervision of the Executive Engineer, Public Health Department. After some time it began to leak so badly that repairs were found necessary with bituminous speeting which cost the municipality Rs. 4,000 or thereabout. This having been done further repairs had to be carried out after 4 or 5 years to stop leakage at a cost of a couple of thousand rupees.

Lastly, Sir, the history of the intake of the Dacca Water-works is well known to the department and I need not refer to it in detail. Some work was executed by the Public Health Department in connection with the suction pipe which proved to be a complete failure. There was some litigation over it between the Government and the contractor and the case was fought up to the High Court. Government lost the case ultimately with the result that the municipality was made to suffer a loss of about Rs. 20,000. These are in brief some of the glaring instances of negligence and inefficiency of the department.

Sir, I was not ready to speak on this motion. If I had actual figures in my possession I would have been able to quote chapter and verse to show how the public bodies are treated by the department. May I ask what would Government have done if such irregularities and mistakes had been committed by any municipality or district board in similar circumstances?

Sir, I do not wish to waste the time of the Council by narrating stories which may seem dry and uninteresting. My object in supporting this motion is not to effect a cut in the provision which has been made under this head but to request Government to make an inquiry into the public

complaints against this branch of the Public Health Department, so as to put a stop to such state of things in future.

Rai SATYENDRA KUMAR DAS Bahadur: Mr. President, Sir, I rise in support of the motion so ably moved by Mr. N. K. Basu. In doing so, I do not mean any cut or refusal in the pay of any officer of the department but I would like to bring to the notice of the Hon'ble Minister-in-charge as well as to the members of this House the urgent need for overhauling the department, to make it more efficient. I congratulate the hon'ble mover most sincerely for bringing in such a new motion of its kind. Sir, it is well known that the Engineering Section of the Public Health Department is entrusted with the duties of framing schemes relating to the water-supply, drainage and disposal of sewage, etc., and for giving effect to these schemes at the cost of rate-payers' money, supplemented occasionally by contributions from the Government. Sir, the municipalities and other local bodies usually approve of their estimates of cost for such schemes and projects, only for the reason that they are prepared by highly-paid Government experts of this department, but I am sorry to say that as a member of a municipal board for more than a decade, I had occasions to find that their estimates and the works of operation of their schemes were either faulty or wrong with the result that we had to bear the calumny from the rate-payers for wasting their money. In some cases, the projects of this department met with failures giving rise to unnecessary costly litigation with contractors entrusted to carry out their plans. The Hon'ble Mr. K. Nazimuddin, Rai Bahadur K. C. Banerji, *ex*-chairman and *ex*-vice-chairman of the Dacca Municipality, respectively, and members of Comilla Municipal Board as well as the members of the Executive Council of the Dacca University, who are present here to-day, will bear me out when I say that a great deal of public money were wasted for the incompetency of this department in carrying out their plans. I cite some instances on the point:—

(1) The original estimate of the 2nd improvement scheme of the Dacca Water-works was for Rs. 1,80,000 which was several times revised with the approval of the municipal commissioners and ultimately amounted to Rs. 2,61,000 for the construction of a suction and jetty, but the work proved unsuccessful for which there was a loss of Rs. 52,000 to the municipality. No Government grant was received by the municipality for the scheme and the entire expenditure was met by the municipality, the major portion of course by loan from the Government.

(2) The estimate of the 3rd improvement scheme of the Water-works of Dacca Municipality, again amounted to Rs. 4,80,000 but the actual work was done for Rs. 4,95,000, the excess amount has been sanctioned by the municipal commissioners to be met from the balance of 2nd improvement scheme in the hands of Public Health Department.

(3) As to sewer scheme of Dacca, the original idea was to sewer the whole city with Government grant of Rs. 25,00,000 and the original scheme for the initial portion amounted to Rs. 10,08,000 which was subsequently revised and raised to Rs. 15,93,200 with the result that with the expenditure of total grant of Rs. 25,00,000, only two-third portion of the city has been sewered. This has increased the recurring expenditure of the municipality as provision has to be made both for the maintenance of the sewers as well as for the maintenance of bullock carts for carriage of night soil from the unsewered portion of the city.

(4) As to sewers in the Dacca University area, I am told that although there has been an excess expenditure by Rs. 50,000 or thereabout from the original estimate, the sewers there are not yet satisfactorily complete.

(5) I am also told that the 1st project of Comilla Water-works was more or less a failure with consequent loss of public money in thousands.

Now, Sir, as matters stand, who is responsible for this miserable state of things and for this unnecessary waste of public money? Had the estimates and operation of schemes been perfect at the outset, lot of these troubles and waste would not have happened. Hence I would like to point out that time has come when the Government must inquire into the efficiency of the experts of the department and stop any further waste of public money on such faulty estimates, etc., by the department.

With these observations, Sir, I lend my support to the motion.

Babu KHETTER MOHAN RAY: I want to say something about the water-works at Comilla. Mr. Basu does not know, because they are not mentioned in the report, why the Comilla people, who were originally supplied with water from the Gumti river, are being supplied with well-water. I shall give him certain facts to show that the engineering department which is entrusted with the work is a rotten one. They have suppressed these facts in any of their reports submitted to Government. Mr. Basu has simply said that there must be something wrong; but as a matter of fact, a jobbery of the gravest kind was committed in connection with the Comilla Water-works. The Comilla Water-works were started in 1922, and the public were supplied with the best water available from the river Gumti; the water was subjected to analysis and found to be the best water available. Then the water-works went on well for two years and we were getting ample water, but suddenly it stopped, and why? Then there was an examination of the water-works, and it was found that the main, connecting the reservoir with the overhead reservoir, was not in position; then it was afterwards found that this could not be placed in position as there was some running sand there. It was found that this would have to be replaced by some steel-ware pipes and it also transpired that in order to minimise the cost and

for other reasons the earthenware pipes were substituted for steel ware pipes. It would have cost at least Rs. 60,000 more to put the connection in order with steel ware pipes, but the Public Health Department could not supply it; there was only a surplus of about Rs. 34,000 in all, and out of that sum, wells were excavated which cost about Rs. 20,000 and from those wells water is being supplied. But the intake setting tank and reservoir which were at a distance from the works had to be abandoned; the intake and the main, etc., cost at least more than Rs. 1,50,000, and this expenditure was a mere waste of money. For this reason the water-supply has been curtailed, and we are not being supplied with sufficient pure drinking water, and this shows how much jobbery has been committed——

Mr. PRESIDENT: Please do not repeat that word; it does not sound well.

Babu KHETTER MOHAN RAY: With these words, I support the motion moved by my friend Mr. Basu.

Mr. C. W. GURNER: Mr. President, Sir, the questions raised in this discussion go back to the period of the last 4 or 5 years, and the matter is more or less one which is not within the Hon'ble Minister's personal knowledge, and he has asked me to reply to the criticisms made. I would first point out that these criticisms relating to the Dacca Sewerage and Comilla Water-works, all go back to a period before the present Minister assumed charge, and that it is a little unexpected to find himself attacked from the various sides of the House in regard to the activities of the Ministry. There is one other constitutional feature I may mention, and this is the fact that so far as any loss that eventually occurred is concerned, the matter would be reported to the Public Accounts Committee by the Accountant-General. The Accounts Committee are naturally the custodian of the House in this matter and one would expect that all criticisms would come up through the Accounts Committee rather than on the floor of the House during budget discussions. With regard to one of these items, the Dacca Works, I find from the paper that it had gone up in the appropriation account of 1930, and I think that this must have been the case, but I am unable to verify the point. The natural custodian of the House is the Accounts Committee in this respect and these items must come up to them through which the criticisms may be made, and where the Chief Engineer himself could be questioned about the loss. But the Chief Engineer is not here to deal with the details of the criticisms made. Those criticisms relate to the three works, and it is difficult to deal with matters like this——

Mr. PRESIDENT: I do not quite understand what you mean; do you mean to say that the notice you received was not long enough for you to prepare yourself to meet these points?

Mr. C. W. GURNER: I am not quite clear; I think the criticism referred to a waste of money on account of a wrong estimate; and it was suggested that the estimate was on account of the Comilla Water-works about which so much has been said, and I think it is the only incident to which the question of a wrong estimate can be applied. The position in the Comilla Water-works was this; that up to the year 1926, it was contemplated that the supply should be from the river Gumti, and that the whole scheme was based on that.

5-30 p.m.

These criticisms relate to three works, the Dacca Water-works Scheme, Dacca Sewerage Scheme and the Comilla Water-works Scheme. The motion refers to waste of money by the department on account of wrong estimates and that suggested to us, more than any other schemes, the Comilla Water-works Scheme on which so much has been said. I think the only question to be dealt with in this connection is the question of wrong estimates. The position in connection with the Comilla Water-works was this: Up to the year 1926, it was contemplated to draw the supply of water from the river Gumti, and the whole scheme was based on that proposal. As has been often said, and it seems quite fair, the stone gravity pipes which were put down proved unsatisfactory. The position was then examined further in 1925-26, and engineers considered what was to be done. The position in regard to tube-well engineering had developed considerably since 1921-22, and when the scheme was placed before them the engineers advised that it was better to give up the idea of drawing the water from the river Gumti, and that tube-wells might be utilised for that purpose. The department was advised to take the supply of water from tube-wells, tube-well engineering, as the whole House is aware, having developed considerably rapidly during that period, and I do not think it is quite fair to say that money was not spent on tube-wells in 1922, and that the estimate was a waste of public money, because subsequently the scheme of tube-well supply of water was taken up. I submit, Sir, it is not quite fair to say that the original estimate was an unfair one. I do not dispute with the unsatisfactory character of the gravity pipes, and I understand from the Chief Engineer that their use was something in the way of an experiment.

The two other schemes I shall now refer to, are the Dacca Water-works Scheme and the Dacca Sewerage Scheme. In the case of the Dacca Water-works Scheme, there has been a certain amount of loss from circumstances which may be quite familiar to those members of the

House who are engaged in business, namely, the failure of the contractor. The contractor was sued but the case against him failed; and for the failure of the case against the contractor, I submit, Sir, the present Ministry cannot be held responsible.

As regards the Dacca Sewerage Scheme, the House will see that I am not making any attempt to minimise or disguise the loss. What happened in the Dacca Sewerage Scheme is this: The University through whose grounds the sewerage pipes were laid down 5 or 6 years ago, long before the present Ministry came into existence, refused to allow pipes to be laid down, and the pipes were not used for several years and when they came to be used, they were unfortunately found to be defective. Those defects were defects for which we could not be held responsible. The circumstances were beyond our hand, and to a great extent it was found impossible to tackle with those defects earlier because the scheme was not completed and it was not found possible to try the water test. I admit quite frankly that there is some justification for the criticisms made on these three schemes but as the various points raised will come up before the Public Accounts Committee, we will be too glad to place before that committee all the facts for their examination.

I would, however, point out that during the last few years the Engineering Branch of the Public Health Department really has been doing sterling work in enginering schemes for individual localities. I would cite one or two instances. The first is the Titagarh Sewerage Work, which has served as a model for the sewerage of small labouring areas on the river side. The other is the Asansol Water-works, completed last year at a cost of Rs. 4,50,000. It is an admirable instance of a water-works scheme for a moderate-sized district town. It was a scheme which, so far from incurring any loss, was completed within the estimate although that scheme included in it new principles for the distribution of water which we hope will have great effect in future in minimising the waste. I merely mention it to show how our engineering work is done with economy, inventiveness and enterprise and I hope the present Ministry must get its fair share of credit for this. I hope the member will not press his motion to a division because if it is carried it would mean an effective censure to the Minister who was not responsible for the failure in the instances cited, but on the assurance that all cases of loss would be examined most carefully in the Public Accounts Committee of this Council, I would ask the mover to consent to withdraw his motion.

Dr. NARESH CHANDRA SEN GUPTA: May I ask whether as a matter of fact the Dacca Sewerage Scheme so far as it affected the University area, was held up because the University Committee did not make any contributions towards the scheme as they did not think it

necessary that that scheme was necessary so far as Ramna was concerned?

Mr. C. W. GURNER: The hon'ble member has referred to details to which I cannot give a definite answer offhand. It is, however, a fact that the University authorities held it to be unnecessary but on what grounds I cannot say at present.

Rai SATYENDRA KUMAR DAS Bahadur: May I ask what inquiries are going to be made as to the efficiency of the department in dealing with these schemes?

Mr. C. W. GURNER: The question is difficult to answer. The department works under great difficulties. As I have said, it has already done some good work. I can only point out that the present Ministry was not responsible for the failure which will be inquired into, as I have pointed out, by the Public Accounts Committee in which all the facts will be placed. I think that meets the point.

The motion of Mr. Narendra Kumar Basu was then put and lost.

The following motion was called but not moved:—

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 5,96,000 under the head '33A—Public Health Establishment' be reduced by Rs. 5,00,000."

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 5,96,000 under the head "33A—Public Health Establishment" be reduced by Rs. 100 (to draw the attention of the Government towards a long-standing nuisance—Nandi Bagan Trenching Ground within the town of Howrah).

Mr. President, Sir, I would like to draw the attention of the House to the long-standing nuisance—I mean the Nandi Bagan trenching ground within the town of Howrah. Although the matter looks like a local affair, the fact that railway trains pass by the side of that trenching ground and passengers feel the stench, is sufficient to justify that it is more than a local concern. The trenching ground was established there at a time when there was a very small population in Howrah. Day by day population on all sides of the trenching ground has become enormously large. The trenching ground is in the centre of the town of Howrah. The municipality of Howrah is divided into two parts and the trenching ground is in the middle of the town. It is situated in ward No. 4, practically half of it is on one side and the other half on the other side of the trenching ground. The trenching ground is in the midst of *bustees* which are inhabited on all sides by poor people. They cannot voice forth their trouble and they suffer from the existence of

this nuisance. The trenching ground has been in existence from a very long time and has become practically useless. It is necessary in the interest of the health and happiness of the people living in the town of Howrah, as well as of those people who pass in trains by that side, that the Government should compel the municipality through their Public Health Department to remove that long-standing nuisance from the heart of the town. Sir, every one who has gone to Howrah within half an hour's distance from the trenching ground, has felt what awful nuisance has been created by the existence of this trenching ground. One can feel the stench from about a mile from the trenching ground. It is the breeding place of mosquitoes and flies. One would be baffled to have cleanliness in the locality however much one might try to be so. At night time the mosquitoes are so large in number and so annoying to the people that any one who goes to Howrah from outside feels it difficult to stay there even for a short time. It will never be possible to get rid of the mosquito and the flies in Howrah so long as the trenching ground is there. The trenching ground, as I have said, is the breeding place of insects and flies which go into the neighbouring houses and spread disease. Representations were made by the rate-payers on various occasions not only to the municipality but also to the superior authorities of Government, the Secretary of the department concerned as also Members and Ministers of Government, but so far no response has been received from the Government.

5-45 p.m.

The trenching ground is still there and accounts for the ravages of cholera and other infectious epidemic diseases in Howrah. Sir, it is unimaginable how a civilised town like Howrah which is just by the side of Calcutta, the seat of the Government of Bengal, should have this sort of nuisance existing there even for one day. I therefore beg to draw the attention of Government to look to this nuisance and I hope that I shall get a sympathetic response from Government that this nuisance will be removed within a short time. With these words, I commend my motion to the acceptance of the House.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, I rise practically to oppose this motion, and would draw the attention of the mover, Dr. Amulya Ratan Ghose, to the necessity of having a sense of proportion. Nandy Bagan may be one of the dirtiest places in the world but there is a municipality, the municipality of Howrah, which, next to the municipality of Calcutta, is a strong body and a self-governing body, and I believe Dr. Ghose is a member of that body and has friends there equally influential like him. So I am disposed to ask him what has led him to bring up this trivial matter to the notice of the Bengal Legislative Council. Is it not admitting defeat that he and his friends are

absolutely helpless in the matter so far as the Howrah Municipality is concerned? That strikes me to be the only conclusion which may be intelligently taken of the whole situation. If it is a nuisance, I believe and presume Howrah Municipality is trying to remove it, or if no such step is being taken by it, perhaps it has a valid reason. Does the mover want that the Bengal Legislative Council should pass a motion like this and press it upon the Hon'ble Minister and the Minister will be obliged to take action against that municipality in respect of Nandy Bagan? I do not think that it is the proper course to take. For these reasons, I for myself would not like to associate myself with a motion like this.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: As Dr. Haridhan Dutt has rightly observed, it is a purely local affair and I do not find much justification on the part of Dr. Ghose in taking up the time of this House with a proposal like this. It is true that it is a standing nuisance for the last few years but it is up to the Howrah Municipality, up to the rate-payers and commissioners of that municipality amongst whom I think Dr. Ghose is one, to take steps to remove it. As far back as 1917, this question was considered by Government and it was then decided that it was beyond the means of the Howrah Municipality to remove this nuisance, and Government therefore agreed to make some contribution towards the cost of its removal. The Howrah Municipality submitted a scheme, I think, in 1919, but that scheme was entirely different from the one on which the Government proposed to make a contribution, because it was one for shifting the nuisance and not for removing it. There the matter rests, if the Government have to interfere at all, till the Howrah Improvement Act is passed and Howrah is included within Calcutta. If the commissioners of the Howrah Municipality are not alive to their duties, it is for the rate-payers to turn them out. There was an election last year; in it Dr. Ghose was elected along with others; he on behalf of the rate-payers submitted a memorial to the Minister in charge of the Local Self-Government against the commissioners elected by them. I sympathise with the rate-payers but why did they not vote for men who would be more alive to their sense of responsibility? Why did they return persons who would perpetuate this nuisance? With these few words, I oppose the motion.

Dr. AMULYA RATAN GHOSE: May I make a personal explanation? I never approached the Government of Bengal on behalf of the rate-payers on this question. I think the persons mostly affected by this nuisance approached Government through some one else.

The motion of Dr. Amulya Ratan Ghose was then put and lost.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 5,96,000 under the head "33A—Public Health Establishment" be reduced by Rs. 100 (to draw attention to anomalous position of officers employed in School Hygiene work).

Only yesterday the Hon'ble Minister in charge of this department in answer to a question stated that there were two superior officers in charge of this work, namely, one Assistant Director of Public Health, who draws, including various allowances, a pay of about Rs. 1,200 per mensem, and there is another officer, a medical inspector of schools, who draws, including allowances, about Rs. 350 a month. Besides these two officers, there are 3 junior medical inspectors of schools, who are all medical graduates and get Rs. 50 per month. Now, Sir, the object with which this school hygiene work was sought to be organised was no doubt a very noble one. The object was to examine all boys in high schools and detect if they had in them any lurking disease which might subsequently be fatal to them. Tuberculosis is, for example, a treacherous disease and it is very difficult to detect it. If it can be detected at its incipient stage then the guardians of the children can be given timely warning and many valuable lives can thereby be saved. The object was no doubt a very noble one as I have said. But for want of funds it seems that Government have not been able to extend this work to the whole of this province. Whatever is done in this direction is therefore practically confined within the limits of Calcutta. We quite appreciate, Sir, that Government is hard pressed for money at the present moment and it is not therefore possible for them to spend large sums towards this end. But what I submit, is that the two officers who draw these fat salaries have practically very little work to do. In answer to the same question the Hon'ble Minister said that the Assistant Director of Public Health was in charge of the general administration and the organisation work of the school hygiene branch. He surely means that the original intention was to set up an organisation for the whole of this province but as that has not been possible for shortness of funds, the activities of these gentlemen are therefore confined within the limits of Calcutta practically. Now, the question is whether it is necessary to maintain such high-salaried officers for the metropolis of Calcutta only. It was said that they had to look to other duties also but those duties are apparently of a minor character. Their principal duty is the organisation work of the school hygiene branch. If the answer to the question is again referred to, it will only confirm the statement I have made. These officers have visited a number of schools in 1930 and 1931, but I think that most of these schools, at least 90 *per cent.* of them, are situated within the limits of Calcutta, and the few schools that are outside Calcutta, are also within easy reach of Calcutta. Therefore the work they have to do is not at all of a strenuous nature.

Then the three junior medical inspectors who get no salary whatever but who get subsidies at the rate of Rs. 50 per mensem only, do the real work. They have to examine all the boys whose number will not be less than Rs. 8,000 in the whole of Calcutta and they have to visit all the schools every now and then. The schools are mostly situated at a great distance from their homes, perhaps 4 or 5 miles off. They do not get any travelling allowance whatever for their tours. The Hon'ble Minister will perhaps say that they are allowed to carry on private practice and to adopt any other employment they may choose but I beg to submit that the salary they draw and the work they do, are not at all commensurate with the duties which they perform. In fact, these junior officers do the real work, and so far as the superior officers are concerned, the principal duty which they seem to perform is to attend office, for which there seems to be no hard and fast rule to sign letters, I do not think more than once a week and also to supervise the work of these 3 inspectors. Sir, is this the kind of work for which these two gentlemen should be paid such fat salaries? I think there is a good deal of possibility of economy so far as this department is concerned, and I also think that it is highly necessary that the prospects of the 3 junior inspectors of schools should not be what they are at present. The Hon'ble Minister will perhaps say that the present financial situation does not permit of any steps being taken towards that end. We appreciate that explanation but I ask: Cannot something really be done? If the whole department is overhauled and the unreasonable salary of the highly-paid officers is reduced to a certain extent, I think justice may easily be done to these poor inspectors.

With these words, I move my motion.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I am really thankful to my esteemed friend, Maulvi Tamizuddin Khan, for having drawn the attention of Government to this matter. I do not admit that the pay of the superior officers is not commensurate with the pay which is given to the subordinate officers, but many schemes are taken in hand with the object of further expansion. It is the financial difficulties of Government that have checked all expansion, so nothing further could be done.

Mr. Tamizuddin Khan has suggested that the activities of these officers should be extended to the *mufassal*. I am sorry, I have not got a copy of the question and answer to which he referred, with me. But I believe, these officers have also visited schools outside Calcutta, in the municipality of Krishnagar and places in Eastern Bengal.

6 p.m.

If my friend Maulvi Tamizuddin Khan suggests retrenchment, I would ask him to wait till the Retrenchment Committee is appointed

and the case is considered by that Committee. If he suggests the expansion of this Department and the increasing of its activities, he will have to wait till further funds are available. But I do promise to look into his suggestions. It is certainly reasonable that we should offer some suitable remuneration to these officers. It may be that Government will not be in a position to give effect to any scheme of improvement as regards the remuneration of these officers at present, still the question will be carefully considered and Government may come to a decision which may be given effect to in future. It is certainly not the desire of this House or of the mover of this motion to cripple the activities of this department. I know the mover is really anxious to increase the activities. But it would hardly be the remedy to reduce the pay of the superior staff, when the activities of the department will, as is likely to be, increase. The superior staff will have ample work. Reduction in pay of the superior staff will not help the inferior staff.

With these few words, I would request the mover to withdraw his motion.

The motion of Maulvi Tamizuddin Khan was then, by leave of the Council, withdrawn.

Babu KISHORI MOHAN CHAUDHURI: Sir, I beg to move that the demand of Rs. 2,25,000 under the head "33B—Grants for Public Health purposes—Rural Water-supply" be reduced by Re. 1 (to discuss the policy in connection with the rural water-supply which is now being pursued).

At the outset, I wish to say that the provision of a sum of Rs. 2,25,000 only for rural water-supply is hardly adequate to meet the needs of the province. It will give an average of Rs. 9,000 to Rs. 10,000 per district and one-third of this sum will go for maintaining the existing grants for water-supply. So the average really comes to not more than Rs. 6,000, which can be utilised for meeting the demands of a district in the matter of rural water-supply. Now, Sir, in a district there are 4,000 villages on an average, and the need for the supply of good drinking water in the rural areas is well known. There are many old tanks in the villages which are perfectly useless, and in the interior of the districts on account of the silting of the rivers, the supply of drinking water has become short and during the dry season, the people suffer very much for want of good drinking water. We are in need of about 2,000 tanks for the supply of good drinking water in a district and if we spend only Rs. 5,000 or Rs. 6,000 at the most for this purpose, what can we do? At the most we can have 4 or 5 tanks for this amount. How many years will it take to have 1,500 tanks or wells for the supply of drinking water in the rural areas? My suggestion is that the Government of Bengal should raise a loan of at least Rs. 30,00,000 to Rs. 40,00,000 and each district should be given on an

average Rs. 1,50,000. This sum may be given as loan to the villagers who undertake to excavate tanks and to give back the money in 5 or 6 years. If that is done, a certain sum of money may be placed at the disposal of district boards for the purpose of maintaining these existing tanks and the remainder may be utilised for paying interest charges. If that is done and the money is lent in the way I have suggested, I believe the loan can be repaid in 5 or 6 years, and as soon as a loan is repaid, the amount available may be lent to other persons. In this way I believe in 15 or 20 years, the entire need of the rural areas in the matter of water-supply can be met. It will not cost much to provincial revenues; at the same time the amount which is now distributed may be utilised for meeting of the interest on loans to district boards, who can also excavate tanks for the benefit of the poor villagers. In this way a great deal can be done for the improvement of sanitation and for the removal of the want of good drinking water in the rural areas. This is a suggestion which I think the Hon'ble Minister may take into consideration with the help of district boards. Well-planned schemes can be prepared, and it may be seen how much is really needed for a district where there is a great demand for the supply of drinking water, and whether the people are willing to take loans and repay in 5 or 6 years. If that is done, this want will be removed and the people will be much benefited. I make this suggestion for the consideration of the Council and of the Hon'ble Minister. If such a scheme is approved and taken in hand, I dare say the Hon'ble Minister will be able to grapple the situation. Government are contracting debts for ordinary purposes, but in this case if my suggestion is accepted they will get back their money and it will not cost them anything. The money will be repaid in 15 or 20 or 30 years and the interest charges can be met from the amount set apart for water-supply. I do not mean to press this motion in order to bring a censure on the Hon'ble Minister. My idea is that if he takes my suggestion into consideration he will be able to deal with the problem of rural water-supply in a satisfactory manner.

With these words, I commend the motion to the acceptance of the House.

Maulvi ABUL KASEM: I rise to speak in favour of this motion. It is a matter of regret, Sir, that on the question of sanitation and public health, the rural population and the rural area have always been neglected and I am tempted to say deliberately neglected by Government. Whenever any municipality comes forward with any proposal, the Government more or less, as funds permit, respond very generously, but they forget that the people living in municipal areas are well-to-do and educated people. They can very well look after their own affairs. But the people in the rural areas are not only poor but they have no influence; they are uneducated and more or less helpless. Sir, my

friend the mover has suggested that a certain amount of money be raised by loan for the purpose of having good supplies of drinking water. Nobody can deny the fact not even the members of the Government benches that there is a great want of good drinking water in the rural areas, at any rate, on the other side of the Ganges, and that is the cause of the prevalence of various diseases, notably malaria and cholera.

6-15 p.m.

I believe the Hon'ble Minister will bear me out when I say that in the Burdwan Division there are many villages where during the hot season people have to take water from tanks which is half mud and half water. The reason is simply that in the old days the Government or the territorial magnets, the *zamindars*, used to excavate big tanks——

Mr. PRESIDENT: May I interrupt Mr. Kasem and inform the House that the time-limit will be reached at 6-24? So I would ask Mr. Kasem to be very brief.

Maulvi ABUL KASEM: Very well, Sir. In supporting Kishori Babu's motion, I beg to suggest that when a large sum of money is to be borrowed the interest and the sinking fund charges should be contributed both by the people and the Government in pursuance of the provisions of the Bengal Agricultural and Sanitary Improvement Act, which was passed in 1920, and has not actually been put into operation up till now. In spite of the reply I got, I say that the agency will not to a large extent depend on the District Magistrate but on the Collector of the district. What I suggest is that a good sum over and above this sum should also be contributed from the provincial revenues. I submit that it is the rural people who are the largest contributors to the provincial revenues and the Collector simply sends them to the treasury. As the cultivators have to pay the piper they have a greater right to call for the tune. Therefore, a substantial portion should be contributed by the Government and some money may be paid by the local people according to the provisions of the Bengal Agricultural and Sanitary Improvement Act.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I have listened with attention, I might say with respectful attention, to what fell from my esteemed friend, Babu Kishori Mohan Chaudhuri. His suggestion is that the Government should borrow a large amount from the Government of India and advance the money in their turn to *zamindars* as well as to well-to-do villagers for helping them in excavating or re-excavating tanks and wells. As a matter of fact Government have just started this policy but not yet on a very large scale. My friend, Mr. Momin, will bear me out that it was only last

year we advanced Rs. 50,000 to the District Board of Chittagong with the idea that the district board would in their turn advance the money to the villagers to help them in the re-excavation of tanks. The water-supply loan scheme was actually given effect to only from last year and it would be some time before this scheme could be declared a success. Government have, as a matter of fact, provided for a sum of Rs. 2,50,000 in the budget for expenditure on this head; but unfortunately there were not many demands from the district boards. The principle which the Government follow in advancing this money is that a portion of this amount is spent in meeting the interest charges on the loans advanced to district boards, and a portion of the amount is spent through the district magistrates in consultation with the district boards on water-supply. Besides this, there are augmentation grants paid to the district boards for the improvement of rural sanitation, water-supply and other schemes. The amount for the water-supply loan is borrowed from the Government of India, but the provincial exchequer bears the interest charges. The interest which the local bodies have to pay is only 3 *per cent.* and 3½ *per cent.* is paid by the Government of Bengal to the Government of India. So you will see that this experiment has already been started; it will be some time before Government can extend their activities in this direction.

Mr. Abul Kasem has observed that Government have deliberately neglected the matter of water-supply to the rural areas. Sir, I do not know what the Government did in the past, but certainly they are not inclined to neglect it at present. With these words, I would request the mover to withdraw the motion.

The motion of Babu Kishori Mohan Chaudhuri was then, by leave of the Council, withdrawn.

[At 6-20 p.m., the Council was adjourned for prayer and it reassembled at 6-40 p.m.]

The motion that a sum of Rs. 38,71,000 be granted for expenditure under the head "33—Public Health" was then put and agreed to.

The following motions under the head "33—Public Health" were not called owing to the expiry of the time-limit:—

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 27,27,000 under the head '33B—Grants for Public Health purposes' be reduced by Rs. 5,00,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 27,27,000 under the head '33B—Grants for Public Health purposes (Transferred)' be reduced by Rs. 1,000 (to discuss the desirability of having schemes for waterworks and sewerage schemes ready to be taken up as soon as funds will be available)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 27,27,000 under the head '33B—Grants for Public Health purposes' be reduced by Rs. 1,000 (to draw attention to the desirability of making grants for the destruction of water-hyacinth which is affecting sanitation in rural areas)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 27,27,000 under the head '33B—Grants for Public Health purposes' be reduced by Rs. 501 (to discuss the urgency of taking special steps to combat with the spread of leprosy and tuberculosis with special reference to the alarming conditions which prevailed in Kalighat)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 27,27,000 under the head '33B—Grants for Public Health purposes' be reduced by Rs. 500 (inadequacy of the grant)."

Babu SUK LAL NAG: "That the demand of Rs. 27,27,000 under the head '33B—Public Health—Grants for Public Health purposes' be reduced by Re. 1 (for not sanctioning Bagerhat waterworks scheme)."

Rai Sahib AKSHOY KUMAR SEN: "That the demand of Rs. 2,20,000 under the head '33C—Expenses in connection with epidemic diseases—Malaria charges' be reduced by Rs. 5 (to draw attention to the serious outbreaks of malaria in Goalundo and Sadar subdivisions of the Faridpur district)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 3,50,000 under the head '33C—Expenses in connection with epidemic diseases' be reduced by Rs. 1,000 (failure to cope with epidemics—particularly during the time of last flood and famine)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 3,50,000 under the head '33C—Expenses in connection with epidemic diseases' be reduced by Rs. 100 (to draw attention to the serious outbreak of malaria in parts of Mymensingh, especially in the subdivisions of Kishoreganj and Netrakona)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 3,50,000 under the head '33C—Expenses in connection with epidemic diseases' be reduced by Rs. 15 (to raise a discussion about the present administration and control regarding malaria, kala-azar and other epidemic charges which appear to be defective and can be improved in many ways)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 3,50,000 under the head '33C—Expenses in connection with epidemic diseases' be reduced by Re. 1 (insufficient grant to cope with the necessities of the situation)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 3,50,000 under the head '33C—Expenses in connection with epidemic diseases' be reduced by Re. 1 (inadequacy of the grant)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,02,000 under the head '33C—Bacteriological Laboratories' be reduced by Rs. 100 (to raise a discussion on the policy involved)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 1,02,000 under the head '33D—Bacteriological Laboratories' be reduced by Re. 1 (to draw attention of the Government to the desirability of reducing the charges for analysis of food articles sent by local bodies and making the same nominal)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 38,71,000 under the head '33—Public Health' be reduced by Rs. 10 (to raise a discussion on the present public health establishment and its work in different places)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 38,71,000 under the head '33—Public Health' be reduced by Re. 1 (to discuss the general policy)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 38,71,000 under the head '33—Public Health' be reduced by Re. 1 (to draw attention to the inadequacy of the demand)."

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 38,71,000 under the head '33—Public Health' be reduced by Re. 1 (to discuss the want of proper attention to the highly malarious areas in West Bengal)."

34—Agriculture.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 22,80,000 be granted for expenditure under the head "34—Agriculture."

The general policy of the Agriculture Department is to set up and maintain higher standards of agricultural products and production, to introduce and enforce better methods of farming and ultimately to raise the social moral and civil life of the people to a higher level by improving their economic condition. It must, therefore, be admitted on all hands that the task before the department is stupendous and particularly because there is hardly any limit to advancement in the direction of improved production, economic distribution, improvement of breed and indeed in all mental and moral development. The agricultural improvement in a country depends mainly upon two factors, namely, research and demonstration. In the words of the Royal Commission on Agriculture "the basis of all agricultural progress is experiment." As a matter of fact, demonstration and propaganda can only follow successful experiment.

Now, turning to the activities of the three research sections of the department, I can state briefly that while the fibre and botanical experts are mainly engaged in the solution of problems connected with the two staple crops of the province, namely, jute and paddy, the chemical section has devoted its attention to sugar and tobacco problems. As a result of experiments on jute fibre, it has been found that the departmental jute is a better yielder by about 25 *per cent*. As a result of experiment on paddy seeds by the botanical section, it has been ascertained that the *nagra dushar* and *bhasamanik*, particularly the last, produce the best yield in Western Bengal as *indrasail* in Eastern Bengal. Research has also been carried on for selection of cotton for Bengal soil with more or less satisfactory results. Investigations have been made into various parts and effective precaution suggested in the localities where the crops are victimised by pests.

The work of the chemical section on the experiment of sugarcane and tobacco is also satisfactory. The department has distributed in the districts lakhs of cuttings of an improved variety of sugarcane. Improvements have been effected in the method of curing of cigarette varieties.

Now, turning to demonstration and propaganda, Sir, I can only repeat the observation of the Royal Commission that Agricultural Research can be of no avail to cultivators until its results are brought to their doors in a form in which they become a part of their agricultural practice and the best and quickest method of influencing the cultivators is to demonstrate an improvement in crop or method on a small plot cultivated under departmental control or direction. The Agriculture Department in Bengal, Sir, is fully alive to the utility of this method of ocular demonstration and has been introducing it wherever possible through *barga* system of cultivation under close departmental supervision. Our financial limitation in employing an adequate number of demonstrator is a great handicap in

the wholesale introduction of this method all over the province. But it is gratifying to mention that private individuals are evincing greater interest and supplementing the departmental efforts in this direction. The number of private farms has substantially increased in recent years. Besides, the co-operative societies are materially helping the department in the introduction of experimentally approved seeds.

The budget provides for the Agriculture Department including sericulture and botanical and other public gardens, the Civil Veterinary Department and the Bengal Veterinary College and the Co-operative Department.

As explained by the Hon'ble Finance Member in his budget speech, the budget for 1932-33 has been prepared under most lamentable circumstances and utmost economy had to be observed to reduce the margin of deficit as much as possible. In these circumstances next year's budget can very well be called a poor man's budget, and with the limited resources it has just been possible to provide for the essential needs of the departments concerned. It is, however, a matter for congratulation that whilst other departments have had to submit to emergent cuts to tide over the difficulty, the Agriculture Department has been left practically untouched.

Although the present unsatisfactory financial position has continued to be a great handicap, I have great pleasure in saying that the departments concerned have risen equal to the occasion and there has been unremitting effort to press forward the policy laid down by Government.

In the Agriculture Department the staff available for demonstration and propaganda is very inadequate, but an increasing measure of assistance from local bodies and private individuals has been forthcoming. There are at present 165 private farms in this presidency. These farms, which voluntarily ask for and obtain departmental advice, grow departmental crops, use departmental bulls and implements and generally act as so many demonstration centres, bear an eloquent testimony to the solid work done by the Agriculture Department. It is gratifying that a large number of gentlemen of means are showing an inclination to take up farming as a business proposition, and in this laudable object they always receive all possible assistance and encouragement from the department. It is also noteworthy that there are now in existence 240 paddy seeds farms comprising an area of about 4,000 bighas which are managed by *zamindars*, *talukdars*, co-operative societies, union boards, agricultural associations, etc. The supply of paddy seeds of approved quality from these farms was about 13,000 maunds in the year 1930-31.

On the research side, much useful work has been undertaken with financial assistance from the Imperial Council of Agricultural Research.

In my speech in Council last year, I had occasion to refer to the facilities obtained for intensive research work and we were not slow to take full advantage thereof. Never before in the history of the Bengal Agricultural Department the time has been more favourable for the initiation of schemes of agricultural research nor has such a great impetus been given to it, than at the present moment with the financial assistance offered by the Imperial Council. Indeed, the severe economic depression through which this country, in common with the rest of the world, is now passing, should be regarded as a reason not for the cessation, but for an extension of the work of research. The greater utilisation of the help which science can give, will be a potent factor in the revival of existing industries, including agriculture, no less than in the development of new ones.

In this direction the Agricultural Department has already given a lead by bringing into prominence the economic value of the cultivation of sugarcane and the prospects of sugarcane industry in this presidency. As is well known there is a heavy import of sugar into Calcutta mostly from Java, and the inference is that people are taking widely to the consumption of sugar rather *gur*. Large areas in four out of five divisions in Bengal, are eminently suited for growing sugarcane. It is expected that the adoption of the high yielding departmental strains of jute will not only limit the expansion of the area under jute, but even in normal times, may bring about a reduction of that area. If even half of the area thus liberated, could be put under sugarcane and if that sugarcane could be locally converted into *gur* for transport to a refinery, Bengal should not need to import a single ton of over 3 lakhs of tons which it is now importing annually into the port of Calcutta alone. Thus, there is a market. There are also suitable land and departmental varieties of cane which has been found admirably suited to Bengal. The Agricultural Department have produced a small power-crushing plant with a capacity of handling about one ton of cane an hour and an extraction of 70 *per cent.* and also a cheap *gur*-boiling furnace capable of keeping pace with the crusher and of producing *gur* of the high quality required for sugar-making. Both the crusher and the furnace have been in use for two seasons on the estate of a large commercial firm and the results are reported to be commercially satisfactory. The areas at present under cane are not sufficiently large or concentrated to justify the establishment of white sugar refineries in the *mufassal* on a factory scale but it is believed that it would still be possible to establish small sugar-refining factories in certain areas.

6-45 p.m.

The important question of improvement of cattle is still engaging the attention of the department. It is indeed the most difficult of all problems; and attempts at private legislation with this object in view

have been made in the Council, but no satisfactory solution has yet been found. With the limited resources at their disposal Government are doing all that they can. The object of the Rangpur Cattle Farm and the cattle section at the Dacca Farm is to improve the breed of cattle. An interesting scheme is now being tried as an experimental measure for the improvement of cattle in local areas by the grant of premium to owners of approved bulls. This has been a success in Malda district and Government have recently sanctioned the purchase of forty cross-bred bull calves, the progeny of premium bulls, for free distribution among *raiyats* in that district for breeding purposes. In this way, it is hoped, it will be possible to cover a large area with the progeny of selected bulls and thus improve the breed of cattle in the local areas concerned.

Turning to the Veterinary Department the object of which is to afford relief to sick and ailing animals and to control outbreaks of contagious diseases, the policy of Government is to provide in co-operation with the local bodies in each subdivisional headquarters an itinerant veterinary assistant surgeon, and a veterinary hospital or dispensary with a stationary veterinary assistant surgeon-in-charge. It has not yet been possible to complete the programme but evidence is not wanting of the desire of the local bodies to move further in this direction when their funds enable them to do so. The District Board of Dacca of which my friend Rai Bahadur Keshab Chandra Banerji is the chairman, I am glad to say, have shown their public spirit by applying for seven veterinary assistant surgeons in addition to the four already employed by them. Government have agreed and it is hoped that these seven men will be employed early next year. The long-felt disability under which the union boards laboured owing to their inability to undertake work for the prevention and treatment of cattle diseases or for the improvement of the breed and health of cattle in rural areas has been removed by the Bengal Village Self-Government (Amendment) Act, 1931. It is hoped that they will now take up the matter so far as their financial resources permit.

The co-operative movement in Bengal had to pass through a severe stress in recent years owing to the economic situation caused by world-wide trade depression, coupled with the unusual fall in commodity prices, especially of jute and paddy, which resulted in shortage of money. This adversely affected the agricultural population and not only it affected the credit side of the movement but also the operations of non-credit agricultural and non-agricultural societies. The failure of the jute sale societies has made it apparent that there are various difficulties which are not easy to meet successfully in the operations of purchase and sale societies. Government have, therefore, come to the conclusion that in the present circumstances anything like a widespread movement for co-operative purchase and sale is premature.

Financial stringency has stood in the way of increasing the inspecting staff according to normal requirements, but such staff as is indispensably necessary has been provided. With a view to fulfilling our obligation for annual audit, provision has been made in the budget for 27 additional auditors and their peons.

With these words, Sir, I commend the motion to the acceptance of the House.

The following motion was called but not moved:—

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 2,01,000 under the head '34A—Agriculture—Experimental farms' be reduced by Rs. 50,000."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 2,01,000 under the head "34A—Agriculture—Experimental farms" be reduced by Rs. 1,000 (to draw attention to the actual service rendered by these farms).

As there is another important motion—the one regarding the Calcutta Society for the Prevention of Cruelty to Animals—to which my friends in the House want to concentrate their attention, I should like to be as brief as possible. Sir, the experimental farms started in certain districts by the Government have, I am sorry to note, failed in achieving the object for which they were started. The department has failed to popularise them. Lot of propaganda work was needed to make these very useful institutions popular among the agriculturists in whose interest the farms have been established. Perhaps the Hon'ble Minister of Agriculture will demand more funds for propaganda work. Sir, if there be co-ordination of work among the different transferred departments, there would be considerable savings rather than more money for the purpose of propaganda. Sir, the experiments made in Gurgaon near Delhi have proved such a success that it has been adopted in many districts in the Punjab and the United Provinces. The work of village uplift embraced all the transferred departments—Education, Sanitation, Agriculture and Industries—they are all inter-connected. They have engaged one guide for each village who does propaganda work for all the departments. Sir, so far as these experimental farms are concerned, I do not know why they should work at a loss. The very purposes for which they have been started are frustrated if they are not worked at a profit. An ounce of fact was preferable than a thousand theories. If the people find the farms working at a loss, it would not at all be possible to popularise them. People will try to avoid the farms as much as possible instead of taking advantage of them. If the farms be not beneficial to the public, what is the use of maintaining them? Show to the people by facts and figures that these farms which are using improved methods

of cultivation with better manure and better seeds are yielding more and better crops and getting more profits, people will flock to the farms, else it would be sheer waste of public funds to maintain such costly shows. Any amount of propaganda will not help a losing concern. If you want to make them popular, infuse business principles in the department. It was no use conducting *mamuli* work at public expense without any appreciable benefit to the public.

With these words, I commend my motion to the acceptance of the House.

Sir LANCELOT TRAVERS: I would like to say a word with regard to these experimental farms. I am inclined to think that there is some justification for criticism. My information, to a certain extent my experience, is that the officers in charge of these farms confine their demonstration work to the farms alone. They should visit the neighbouring places in which the farms are situated, and explain difficulties to the people and attempt to educate in agriculture. They should go into the *bustee* areas and get in touch with the more advanced of the *raiyats* and with their aid to demonstrate in areas of one or two miles apart the results of their experiments. That should be their work. That should be their aim and at present they are certainly not doing this. I think there should be more supervision; the divisional agricultural officers should go to the farms in their charge more often than they do at present; moreover they should pay unexpected visits, and should not advise the officer-in-charge that they are going there at such and such a time, and in this way they can find out what the officer is actually doing. Also I have found, in the districts of Northern Bengal, where the Deputy Commissioner is believer in agricultural progress and frequently goes to the demonstration farms, that those farms are doing much more useful work. I suggest to the Hon'ble Minister-in-charge that we should attempt to obtain more co-operation from the civil authorities in each district. At present there are too many returns and too little practical work is done.

Mr. NARENDRA KUMAR BASU: I beg to support the motion moved by Rai Mahasai. I was very glad to hear the Hon'ble Minister in charge of Agriculture say that his department was trying to raise the social, moral and economic condition of the people, with the accent on "the people," and that the work that was being done at the agricultural farms was the work of demonstration and propaganda and also that the chemical section of this department was trying experiments regarding the refining of sugar and the cure of tobacco for cigarettes. Sir, I am very pleased that the Hon'ble Minister has these ideals in him, but I want to give the House an illustration of how this ideal is being achieved. The mover of this motion in one of his sentences

asked the question what the use of maintaining these farms was. Well, I do not know that I am in a position to answer that question as it has been put, but I shall show presently that the use of maintaining one of these farms, is to benefit a foreigner. I mean a man who is not of "the people," whose social, moral and economic condition the Hon'ble Minister is out to raise. I think it will be within the knowledge of the members of this House that in 1929-30, the Government of India appointed a Banking Inquiry Committee, and a Provincial Banking Inquiry Committee was appointed for Bengal. This Provincial Banking Inquiry Committee held an investigation into some of the activities of one of the experimental farms of which the Minister is so proud, that is the experimental farm for tobacco in the district of Rangpur. The report of the Banking Inquiry Committee, extracts of which I shall with your leave place before the House, will, I am sure, startle many of the members of this House. I do not say that the extracts from this will in any way affect the result of any voting that there might be on this motion, but I do say that the facts stated in that report are very startling indeed——

7 p.m.

Mr. PRESIDENT: Order, order.

Adjournment.

The Council was then adjourned till 3 p.m. on Thursday, the 31st March, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 31st March, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 107 nominated and elected members.

Starred Questions
(to which oral answers were given).

Prisoner Maulvi A. K. Golam Jilani.

***180. Mr. SHANTI SHEKHARESWAR RAY:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether Maulvi A. K. Golam Jilani, a graduate and a son of a respectable *zamindar* of Dacca, was placed in division III in the Dacca Central Jail upon his conviction under the Emergency Powers Ordinance?

(*b*) Will the Hon'ble Member be pleased to state whether the release of the late Maulvi A. K. Golam Jilani was recommended on account of his serious illness on the 4th February last by the Medical Officer and Superintendent of the jail?

(*c*) Is it a fact that no final order was passed by the Additional District Magistrate sanctioning the release, when it was too late, till the 10th February?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state the reason of this delay?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) Yes, but Government have no information whether he was a graduate or his father a *zamindar*.

(*b*) Yes.

(*c*) On the 8th February the Additional District Magistrate undertook to issue an order for release if the prisoner's father would execute a bond to have the prisoner treated at the Mitford Hospital

and surrendered at the jail on recovery. On the 10th February the father agreed to give the undertaking and an order for release was passed.

(*d*) The reason for the delay was doubt regarding the power of the District Magistrate to order the release of the accused.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that on account of the delay, Maulvi A. K. Golam Jilani died?

The Hon'ble Sir B. B. GHOSE: Yes. He died.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether it was difficult for him to consult the University Calendar to find out whether Maulvi A. K. Golam Jilani was a graduate or not?

Mr. PRESIDENT: I do not allow that question.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the District Magistrate made a reference to the Government in this connection?

The Hon'ble Sir B. B. GHOSE: No.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member consider the desirability of issuing orders so that there may be no doubt in the minds of District Magistrates in future?

The Hon'ble Sir B. B. GHOSE: There are rules in the Jail Code, but in this case it did not fall under any of the rules. Hence the doubt, and that was the reason for the delay.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether the doubt was in the mind of the District Magistrate or of Government?

The Hon'ble Sir B. B. GHOSE: The District Magistrate. As I have already stated, there was no reference to Government.

Report on the collision on river Buriganga at Dacca.

***191. Rai SATYENDRA KUMAR DAS Bahadur:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether the Government have received from the Magistrate of Dacca the preliminary inquiry report and

the Marine Court report which concluded its sittings on 12th March, 1932, on the M.L. "Meghna"-P.S. "Mikir" collision on river Buriganga at Dacca on 19th January, 1932?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table copies of the said reports?

(*c*) Will the Hon'ble Member be pleased to state what further action, if any, the Government propose to take in the matter?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) and (*b*) Yes. A copy of the report of the Court of Inquiry, which has just been received, will be laid on the library table when it is printed. Copies of reports of preliminary inquiries are not published.

(*c*) The report of the Court is under consideration.

Rai SATYENDRA KUMAR DAS Bahadur: Will the Hon'ble Member be pleased to state whether a copy of the report will be placed on the library table before the Council is prorogued?

The Hon'ble Mr. A. MARR: Yes, I have taken that matter into consideration.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Member be pleased to state who held the preliminary inquiry?

The Hon'ble Mr. A. MARR: The District Magistrate.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Member be pleased to state what were the findings of the Court of Inquiry?

The Hon'ble Mr. A. MARR: That will be found with the copy of the report that will be placed on the library table.

Incident at Chandrakar in Midnapore.

***192. Mr. R. MAITI:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that Babu Natendra Nath Das, pleader of the Midnapore Bar, was severely beaten by Sergeant Smith and three other armed constables with cane *lathis* resulting in several injuries to him, when the former came near the place of meeting which was announced to be held on 4th March, 1932, at Chandrakar in Midnapore town and had just begun addressing people to disperse in view of the police attitude?

(b) Is it also a fact that no warning was given at all for dispersal before the police party committed the above-mentioned atrocities upon Natendra Babu?

(c) If the answers to (a) and (b) are in the affirmative, will the Hon'ble Member be pleased to state under whose order or authority these excesses were committed by the police?

(d) What action, if any, do the Government propose to take against those who are responsible for such actions?

(e) Is it also a fact that on 7th March, 1931, processionists consisting of males and females were severely charged with *lathis* by the police when they were leading a procession in the town of Midnapore and after being brought to the Kotwali *thana* under arrest and kept there for some time, were released and dispersed after a severe *lathi* charge causing injuries to several of them, including females?

(f) Will the Hon'ble Member be pleased to state whether such actions on the part of the police have the approval of the Government?

(g) If the answer to (f) is in the negative, is the Government considering the desirability of issuing instructions restraining such police actions in future?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (a) Babu Natendra Nath Das was a member of an assembly which had been declared unlawful and ordered to disperse. As he and others of that assembly refused to disperse, a light cane charge was made to disperse them, in course of which he received slight injuries.

(b) No.

(c) and (d) Do not arise.

(e) The procession was warned to disperse. They were defiant and so were taken to the *thana*, but released later on. As they left the *thana*, one of the demonstrators, Makhan Bala, incited the others to return to the *thana* and plant the Congress flag there. They were stopped and repeatedly ordered to disperse. They refused and ultimately force had to be resorted to. Only light canes were used and particular care was taken not to use force on the women.

(f) The action taken by the police on that occasion was in accordance with law and has the approval of Government.

(g) Does not arise.

Mr. R. MAITI: With regard to the answer to (a), will the Hon'ble Member be pleased to state whether Babu Natendra Nath Das was medically examined the next day and whether several injuries were found on his person including a lacerated wound?

The Hon'ble Mr. W. D. R. PRENTICE: He received slight injuries and was examined by the Civil Surgeon.

Maulvi SYED JALALUDDIN HASHEMY: With reference to the answer to (*a*), will the Hon'ble Member be pleased to state whether there is a distinction between a *lathi* charge and a light cane charge?

The Hon'ble Mr. W. D. R. PRENTICE: It refers to the weapons used.

Mr. SHANTI SHEKHARESWAR RAY: With reference to the answer to (*e*), will the Hon'ble Member be pleased to state whether any injuries were done against women?

Mr. PRESIDENT: The answer is there.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I want definite answer that there was no force used against women. Is it possible for the Hon'ble Member to state that no force was used against women?

The Hon'ble Mr. W. D. R. PRENTICE: I may refer the hon'ble member to the answer given.

Mr. B. C. CHATTERJEE: Will the Hon'ble Member be pleased to state what was the nature of the injuries to Babu Natendra Nath Das?

The Hon'ble Mr. W. D. R. PRENTICE: The information I have given is that he received very slight injuries and he was examined by the Civil Surgeon.

Mr. B. C. CHATTERJEE: Is the Hon'ble Member aware that the term "slight injuries" made by medical men may include very serious injuries?

The Hon'ble Mr. W. D. R. PRENTICE: My experience is quite the other way.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state since when the police have been armed with light canes?

The Hon'ble Mr. W. D. R. PRENTICE: About three months ago.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether there are any written instructions laid down by Government for the guidance of police officers when dispersing unlawful assemblies?

The Hon'ble Mr. W. D. R. PRENTICE: I do not think so. There is nothing more than what is in the Criminal Procedure Code.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether the police carries light canes and heavy *lathis* at the same time?

The Hon'ble Mr. W. D. R. PRENTICE: No, not at the same time.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state what was the weight of these light canes?

(No answer.)

Mr. R. MAITI: Will the Hon'ble Member be pleased to state whether Babu Natendra Nath Das was examined by the Civil Surgeon in the same evening?

The Hon'ble Mr. W. D. R. PRENTICE: He was examined by the Civil Surgeon, but when that was done, I do not know.

Mr. B. C. CHATTERJEE: Will the Hon'ble Member be pleased to state whether the expression "light canes" means long and stout canes but not heavy ones?

The Hon'ble Mr. W. D. R. PRENTICE: I am not aware of that.

Mr. B. C. CHATTERJEE: Will the Hon'ble Member be pleased to inquire into the matter?

(No answer.)

Revenue Sale.

***193. Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:** Will the Hon'ble Member in charge of the Revenue Department be pleased to state if it is a fact that the District Magistrate of Bogra has recently passed an order to the effect that the revenue sale will be stopped only on payment of full land-revenue and two-thirds of cess?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir B. B. Chose): He passed an order that the arrears of land revenue and two-thirds of the cess should be paid; but on the day of sale, he did not insist on this as a condition of exemption from sale.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether the District Magistrate of Bogra has recently passed an order to the effect that revenue sales will be stopped only on payment of two-thirds of cess?

The Hon'ble Sir B. B. GHOSE: I am not aware of that.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that the payment of cess cannot be conditional for the annulment of sale?

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Member be pleased to state whether the order was passed by the District Magistrate under instructions from Government or he did it on his own initiative?

The Hon'ble Sir B. B. GHOSE: I understand that the order was passed under a misapprehension of an order passed by the Revenue Department, but that has been corrected since it was brought to my notice.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state whether that misapprehension has been removed by the Government not only in the case of collection in Bogra but in respect of other Collectors by a general circular?

The Hon'ble Sir B. B. GHOSE: I have no information that any other Collector requires such an order.

Rai KESHAB CHANDRA BANERJI Bahadur: Having regard to the fact that this order was passed by the Collector, will the Hon'ble Member be pleased to state whether he is considering the desirability of issuing a circular order to all District Magistrates?

The Hon'ble Sir B. B. GHOSE: It is the Collector of Bogra who passed such orders. If no other Collector is under any misapprehension, it is not necessary to pass any general order.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Member be pleased to state whether some concession was granted in the matter of land revenue last year?

The Hon'ble Sir B. B. GHOSE: That does not arise.

Short notice question by Babu Satish Chandra Ray Chowdhury.

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, I submitted a short notice question about a week ago and I have not got the answer yet.

Mr. PRESIDENT: I know nothing about that.

Babu SATISH CHANDRA RAY CHOWDHURY: As to-day is the last day of the session, may I not have an answer?

3-15 p.m.

Unstarred Questions

(answers to which were laid on the table).

Sheristadar of the District Judge of Hooghly.

100. Maulvi SYED MAJID BAKSH: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is a fact that the present *sheristadar* of the District Judge of Hooghly is holding his post as such, in his "home district," for more than twelve years?

(*b*) If so, will the Hon'ble Member be pleased to state why "the general policy of Government that such officers are not to be retained in their home districts, even in exigent cases, for more than five years," has not been observed in this particular case and what are the reasons for this departure from the policy of Government regulating the general administration of justice?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) There is no such policy for ministerial officers.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether he will follow the policy even if local people object to it?

Mr. PRESIDENT: I do not allow that question as it is hypothetical.

Dacoities and thefts in the villages Mulghar and Rajpat, Khulna.

101. Maulvi NURAL ABSAR CHOUDHURY: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state how many thefts and dacoities have been committed in the villages of Mulghar and Rajpat and other neighbouring villages within the Fakirhat *thana* in the district of Khulna during the last twelve months?

(*b*) How many cases have been investigated by the police with success and how many culprits have been punished in that connection?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) A statement containing the information desired is laid on the table.

Statement referred to in the answer to unstarred question No. 101 of theft and dacoity cases from 1st March, 1931, to 29th February, 1932 (police-station Fakirhat, district Khulna).

Village.	Nature of offence.	Number of cases reported.	Number of cases investigated.	Number of cases refused.	Result of the cases investigated by the police.					Remarks.
					Final report.	Charge sheet.	Number of persons sent up.	Number of persons convicted.	Number of persons acquitted.	
Muighar ..	Theft ..	4	3	1	2	1	1	....	1	
	Dacoity ..	1	1	....	1	....	....	....	....	
Rajpat ..	Theft ..	....	....	....	....	....	....	....	....	
	Dacoity ..	....	....	....	....	....	....	....	....	
Neighbouring villages	Theft ..	2	1	1	....	1	1	1	....	
	Dacoity ..	2	2	....	1	....	....	....	....	1 pending.
Total ..	Theft ..	6	4	2	2	2	2	1	1	
	Dacoity ..	3	3	....	2	....	....	....	....	1 pending.

Death of Ram Dhani Khalasi at the Howrah Hospital.

102. Dr. AMULYA RATAN GHOSE: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that a *khalasi* named Ram Dhani was sent to the Howrah Hospital by the authorities of Messrs. Bridge and Roof Company on the 9th January, 1931, as the *khalasi* had both his legs completely fractured and broken owing to an accident which happened to him while he was working on the crane in the workshop of Messrs. Bridge and Roof Company, Grand Trunk Road, Howrah?

(*b*) Is the Hon'ble Minister aware that the *khalasi* died at the hospital the next day?

(*c*) Is the Hon'ble Minister aware that it is believed that the life of the *khalasi* would have been saved if his legs were amputated immediately after his admission into the hospital?

(*d*) Is the Hon'ble Minister aware of a feeling that exists that the *khalasi* lost his life only because the authorities of the Howrah Hospital did not take any suitable steps immediately?

(*e*) If the answer to (*d*) is in the affirmative, are the Government considering the desirability of inquiring into the matter and taking necessary steps to prevent a recurrence?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) and (*b*) A copy of the Surgeon Superintendent's report on the case is laid on the table.

(*c*) No. The report shows that an operation was impossible on account of shock.

(*d*) This allegation appears to be unfounded and unjustified.

(*e*) Does not arise.

Letter referred to in the answer to clauses (*a*) and (*b*) *of unstarred question No. 102.*

No. 748 H., dated Howrah, the 18th March, 1932.

From—Lt.-Col. K. S. Thakur, I.M.S., Surgeon Superintendent, Howrah General Hospital,

To—The Surgeon-General with the Government of Bengal, Calcutta.

With reference to your unofficial No. 247, dated 17th March, 1932, I have the honour to forward herewith a full report of the case in question for the information of the local Government.

(*a*) The man was admitted on 9th January, 1932, at 10 a.m.

(*b*) The *khalasi* died at 9-30 p.m. on the same day of profound shock.

(*c*) Temperature on admission 96°. Pulse was 130 to the minute and respiration was 32. The man was in a state of profound shock and had the following injuries on his body:—

(*1*) Simple fracture lower third left femur.

(*2*) Compound comminuted fracture of lower third of left leg.

(*3*) Compound fracture of lower third of right leg.

(*4*) Multiple abrasions on right thigh.

He was given an injection of morphia and atropine and an electric cradle was put over his bed. Antitetanic serum 10 c.c. was also injected. Later as his condition became worse, an injection of strychnia was given to him.

He was also given an injection of 20 c.c. of anti-streptococcal serum and 1 pint glucose 5 *per cent.* per rectum by drop method. His condition of shock did not improve at all and the man died of shock. No operation could be performed on him owing to the condition of profound shock. Before his death he was given an injection of camphor in oil.

Operations are performed at this hospital at all hours of day and night and I personally look into every case daily and operate at all hours in all emergent cases whenever necessary. A letter received from the Hooghly Docking and Engineering Co., Ltd., is forwarded herewith for the information of the Government as it was sent to me unasked for.

Suits for enhancement of rents in Mymensingh Civil Courts.

103. Maulvi AZIZUR RAHMAN: Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing for the year 1931, in each of the munsifs' courts in the district of Mymensingh—

(*i*) the number of suits instituted by the landlords for enhancement of rents;

(*ii*) the maximum rate of enhancement of rent per rupee demanded in those suits;

(*iii*) the maximum rate of enhancement of rent per rupee decreed in those suits;

(*iv*) the number of those suits decreed *ex parte*; and

(*v*) the number of those suits decreed on contest?

The Hon'ble Mr. W. D. R. PRENTICE: The member is referred to the reply given to similar question by Maulvi Abdul Hakim at this session.

Ashkor Khan's "talao" at Chittagong.

104. Rai KAMINI KUMAR DAS Bahadur: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware—

(*i*) that a very big tank (*dighi*) at Chittagong known as "Ashkor Khan's *talao*" has become partly silted up and is a source of nuisance to several respectable inhabitants and *asram* situated on the bank or very close to it;

(*ii*) that recently several deaths have occurred in several houses on the banks or near by from cholera, small-pox and such other diseases; and

(*iii*) that the above deaths have been attributed by the local medical practitioners to insanitary condition of this big tank?

(*b*) Are the Government considering the desirability of taking steps to have this tank re-excavated by the Chittagong Municipality?

(*c*) Is the Hon'ble Minister aware that the chairman of the municipality—

(*i*) has told the rate-payers in the meeting room on the 10th instant that he would not take steps as it would cost about Rs. 1,000; and

(*ii*) has stated on the same date that he would prosecute the owner only?

(*d*) Is the Hon'ble Minister aware that a former prosecution of this proprietor had not the desired effect of inducing or compelling the proprietor to re-excavate this tank?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) to (*d*) Government have no information about this alleged local nuisance and regret that it would be impossible to obtain it in the remaining days of this session. It would appear to be primarily a matter concerning the Chittagong Municipality.

Arrangement for teaching Classical languages in high schools in 24-Parganas.

105. Mr. A. F. M. ABDUR-RAHMAN: Will the Hon'ble Minister in charge of the Education Department be pleased to state the present number of high schools in the district of the 24-Parganas where there is no arrangement for the teaching of—

(*1*) Persian;

(*2*) Arabic; and

(*3*) Sanskrit?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*1*) 18.

(*2*) 35.

(*3*) *Nil.*

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state the total number of high schools in the district of 24-Parganas?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: 64.

Muhammadan teachers in high schools in 24-Parganas.

106. Mr. A. F. M. ABDUR-RAHMAN: Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing the present number of the high schools in the district of 24-Parganas which have—

(*i*) only one Muhammadan teacher; and

(*ii*) more than one such teacher?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) 17.

(*ii*) 16.

Bhangore High School.

107. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state why the Bhangore High School in the district of 24-Parganas is not given a grant?

(*b*) Is the Hon'ble Minister aware that the school is situated in a backward area and it imparts education to about 300 Mussalman boys?

(*c*) Are the Government considering the desirability of giving a grant-in-aid to the institution?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) A grant was not applied for until January, 1930, when funds would not allow of a grant being given, even had an inspection shown that the school deserved it.

(*b*) The school is in a predominantly Muhammadan locality. There were 321 boys in the school when statistics were last given. Of these, 190 or approximately 60 *per cent.* were Muhammadans.

(*c*) Financial considerations do not allow of a grant being given during the current year.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether this school enjoys permanent recognition or provisional recognition?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Temporary recognition.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state since when the school has been enjoying this temporary recognition?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state whether any new grant to any high school was made after January, 1930?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Jessore district.

108. Babu SUK LAL NAG: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is in the contemplation of Government to abolish the district of Jessore and to annex its subdivisions to the neighbouring districts of Nadia, Khulna and Faridpur?

(*b*) Is the Hon'ble Member aware that Jessore is one of the oldest districts of Bengal?

(*c*) Has the Government any such project in view?

(*d*) If the answer to (*c*) is in the affirmative—

(*i*) what are the details of the project; and

(*ii*) what are the reasons that have actuated the Government to undertake this project?

(*e*) Is the Government considering the desirability of ascertaining the views of the responsible inhabitants of the district of Jessore, regarding the administration and other difficulties to which they are likely to put before any final decision is come to?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Government have no such project in view.

(*b*) Does not arise.

(*c*) Government have no such project in view.

(*d*) Does not arise.

(*e*) Does not arise.

Electrocardiographic examination of heart in Medical College.

109. Srijut TAJ BAHADUR SINGH: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that a new department for electrocardiographic examination of the heart is going to be opened after the retirement of the present Professor of Physiology?

(*b*) If the answer to (*a*) is in the affirmative, from when will the new department be actually opened?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the services of the present specialist will be available in the new department, and

(*ii*) whether any extra expense will be incurred for his remaining in charge of the instrument?

(*d*) Has any other specialist been found to take charge of the instrument?

(*e*) If the answer to (*d*) is in the affirmative, what extra expense will be incurred for him?

(*f*) What would be the staff of the new department?

(*g*) Will the Hon'ble Minister be pleased to state why the scale of pay of the present operator of this instrument should not be according to the non-medical demonstrators of the Medical College?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) No such proposal has been submitted to Government.

(*b*), (*c*), (*d*), (*e*) and (*f*) Do not arise.

(*g*) Government have had no occasion to examine this question, but will do so in consultation with the Surgeon-General.

DEMANDS FOR GRANTS.

The discussion of the demand under the head "34—Agriculture" was then resumed.

Mr. NARENDRA KUMAR BASU: When the Council rose last night, I proposed to give the members of the House some information regarding the activities of the agricultural farms. Those of the members who have had the privilege of reading a very illuminating and instructive article written by Mr. Weston, the Director of Industries, in the "Industries" number of the *Capital*, dated 17th December last, must have noticed that so far as Rangpur is concerned, excellent tobacco is grown there, but most of it is exported to Burma for the purpose of being converted into cigars and Mr. Weston says that the question of preparing tobacco leaves for the purpose of being converted into good

class cigars and pipe tobacco is simply a question of curing. Members of the House may also be aware that several years ago Rangpur was the only district in Bengal where good class tobacco was grown. A factory was started there by some Indians, but it died of inanition, because the curing of tobacco was not properly done. I find, as I said last night, that the Provincial Banking Inquiry Committee as a result of their visit to the Rangpur Farm write as follows: "For some years cheroots used to be manufactured in the Burirhat Farm itself and there was a good demand for the farm cheroots in the market, but cheroots are no longer manufactured in the farm. The entire production of the farm, it is said, is now purchased by a Calcutta firm named Messrs. A. K. Tennent & Co., of B5, Clive Buildings, Calcutta, at a price fixed beforehand. Mr. Tennent advances money to the cultivators through his local agent who for all practical purposes works under the supervision of the agricultural officers of the farm. At present there is only man whose business is mainly to keep the accounts of the money advanced to the cultivators. Those who take advances have not to pay any interest for such advances but have to enter into agreement to sell the entire production of improved tobacco leaves to Mr. Tennent at a rate fixed under the terms of the contract. This rate is determined by Messrs. Tennent & Co., and has either to be accepted or rejected without any modification. For all practical purposes, the selection of cultivators and all other works are done by the officers of the Agricultural Department, who have to look after the selection of the cultivators, grant of seeds, the supervision of cultivation and the curing of leaves. The man who works as the agent of Messrs. Tennent & Co. and is paid, it is said, a sum of Rs 25 per month, has only to keep the accounts of the advances granted and the manures given to the people, while all other works including maintenance of records are done by the agricultural officer." Then they go on to say "the tobacco leaves thus grown by them, as also the entire production of the Burirhat Farm, are really sent direct to Dacca, where cheroots are made under the supervision of the Agricultural Chemist of the Government of Bengal." I need not read further extracts from that report, but this shows that the Government Agricultural Farm at Rangpur and the Agricultural Chemist at Dacca, are mainly engaged in supplying manufactured cheroots to this Messrs. Tennent & Co. who are making all the profits. During the last session of this House when the State Aid to Industries Bill was under consideration, Mr. Cooper and Sir Lancelot Travers and several other members of the European group said that any kind of association of Government with any private enterprise was not only undesirable but altogether wrong. That was their point of view, and I took it down from some of their speeches. They said that it was no part of the duty of Government to bolster up existing badly managed and tottering industries. I cannot say that this is a badly managed and a tottering industry; it is certainly flourishing exceedingly under the patronage of Government.

I would like only to know whether Sir Lancelot Travers and his party are still of the opinion that it is no part of the duty of Government to finance any kind of private enterprise when it is run by the people, for whom the Hon'ble Minister waxed so eloquent last night, but it is so when it is for raising the economic condition of Messrs. Tennent & Co.

Dr. NARESH CHANDRA SEN GUPTA: I am afraid there has been a certain amount of misconception in the minds of the mover and Sir Lancelot Travers. The mover wanted better farms and farms run on business lines. Sir Lancelot Travers wants that these demonstrations may be carried on on lines which would more effectively bring home to the people all that the department could teach them in the way of improved methods. That assumes of course that this department has something to teach the agriculturists, which would be of any earthly use to them. But the fact is that the department has precious little to teach the Bengali cultivators with his microscopic holding and his negative working capital. The chief assets of the Agricultural Department, which are its seeds, do not require demonstration. What requires demonstration is improved methods of cultivation. The department may have improved methods of cultivation, but who is going to take advantage of them, who is going to finance them? Have the cultivators got the money to buy improved ploughs or make use of improved manures? The question of agriculture in Bengal is not a question of demonstration, but a question of economic reorganisation. You have got to provide the agriculturist with the means of carrying on improved methods of cultivation by reorganisation. The Department of Agriculture, however, has nothing to say about that. The Hon'ble Minister is still lisping his old shibboleths of research and demonstration. The department learns nothing. It has not got the eyes to see the signs of the times, nor imagination to formulate schemes for itself. Like a toy engine set on its rails, it goes round and round its narrow circle without a thought of the world beyond. All that it has done with regard to such schemes is to sit upon them. It has sat upon the proposed Jute Bill. It has not substituted anything different. It has sat upon the co-operative jute societies. It has not brought forward anything in their place. That is all it has done. What we want to-day is less of research and demonstration than of economic reorganisation, of imagination and organisation which will produce great and massive results. I want the Hon'ble Minister to throw away from his eyes the microscope through which he looks at the tiny achievements of his department and seeks to attain results which will be patent to the bare eye.

Let us take the experiments in cattle-breeding in Malda. That is valuable though microscopic work. The question now is: how to extend the beneficent work throughout the province? Well, the solution

would be found in the development of co-operative dairy farming on lines which have been so successfully followed in Denmark or is it the question of growing sugar-cane? Let the Government go and start a sugar factory in selected areas, distribute cuttings to the cultivators all round under a contract, take the cane from them and make the sugar as a business proposition. When they have done so successfully, they can make over the concern to a co-operative society on the hire-purchase system and go and set up elsewhere. Or do the Government want to make the people adopt improved methods of cultivation which it has found to be profitable? Let them not go to sleep after starting a demonstration farm which the cultivator never sees. Let them go to the villages, induce some of the cultivators to make over their lands to them on a contract; let them cultivate those lands on improved lines and show the profit, and when that is done, organise the cultivators to carry on on co-operative lines.

These are the lines on which profitable work can be done by the Agriculture Department. The main work before them is the work of organisation and not research or demonstration.

Khan Bahadur MUHAMMAD ABDUL MOMIN: It was refreshing to hear the Hon'ble Minister speaking last night about the ideals of the Agriculture Department in trying to raise the social, economic, and, I think he also said, the moral, welfare of the people of Bengal. But, Sir, if the Agriculture Department had achieved even a tenth of what it professes, I think Bengal would at the present moment be overflowing with milk and honey, and there would be very little disaffection in the country. We are concerned not so much with the ideals as with the achievements of the department.

3-30 p.m.

I regret, Sir, that the very short time allotted for the discussion of this very important grant precludes us from going into the larger questions of policy and the wider activities of the department and we have perforce been compelled to confine our remarks to the motion at present before the House which is with regard to agricultural farms only.

In the annual report of the Agricultural Department, very little information has been given about the working of these farms, and it is very difficult for us to discuss whether these farms have been of any use to us or have been failures, from the meagre information at our disposal. I believe, Sir, previously they used to publish what they called the farm reports in which the commercial side—the financial aspects—of the farms used to be shown. I do not know whether these are still published. But if they are, it will be advantageous if the public have access to them: otherwise the public will be in the dark as to how they

spend money on agriculture—whether it is used profitably or otherwise. To discuss agricultural farms, therefore, we have to fall back on the popular estimate of such institutions which, I am afraid, is not very complimentary to the department. Generally it is said that the Government agricultural farms are almost all of them run at a loss, and I believe that is true. But when you ask the Agricultural Department for an explanation, they always trot out the same excuse that the farms are both experimental and demonstration: therefore, they cannot be self-supporting. Sir, to my mind to be a successful demonstration farm, it must demonstrate to the people that agriculture or farming is a profitable vocation. Simply to produce a two-feet long cucumber or 13-feet long jute without telling us how much they cost to produce is of no use to the average man. A farmer, when he comes near a demonstration farm, as Dr. Naresh Chandra Sen Gupta said, and looks at the activities of the demonstration farms, he takes a detached view and never stops to consider that by adopting the same methods he will be able to improve the yield of his field. He thinks that these farms are in the hands of the mighty Government who can spend any amount of money on them and are supervised by highly educated men with foreign education, and that it is impossible for mere *chasas* to imitate them. Therefore, the only feeling of these cultivators is one of mere curiosity which does not do any good. I do not know whether the scope of the Agricultural Department goes further than trying to give more produce to the actual cultivators. The present Director of Agriculture, I remember, once told the Agricultural Association of Jessore that it was no business of theirs to cater for the young *bhadralok* unemployed; and, therefore, it was no business of theirs to demonstrate to young men that these farms could be run profitably by intelligent young men. I do not know whether the department holds the same view. I believe the department has changed this view, as it appears from the speech of the Hon'ble Minister that there has been a large increase in the number of private farms through the activities of his department. I find the same note of satisfaction in the annual report of the Agricultural Department of Government. The Director of Agriculture thinks that these demonstration farms of Government have been the cause of the large increase in the number of private farms in the province. I think that taking this credit to themselves is not justified. It is true that young men nowadays have been trying to start farms and also the *zamindars* are thinking of cultivating their lands themselves; but this is due not because they have got any real encouragement by seeing the demonstrations in the farms, not on account of the help of the department, but because of the increasing unemployment in the country, and of the persistent cry of "go back to the land," which holds the field at the present moment. Therefore, Sir, what I would like to suggest is that these demonstration farms, if they are to exist in the future, ought to be such that by a visit to them the young men can be impressed that it is possible for them to earn

their living by having, say, 25 *bighas* of land and growing such crops as the department would recommend to them. We hear nowadays a lot about up-to-date and scientific agricultural implements. I should like to ask the department whether in any of the farms they have introduced what they call up-to-date scientific appliances. Even in the Dacca Farm they have not introduced power ploughs, and there is no farm, I believe, under Government where the motor tractors are used. In the Dacca Farm which through the courtesy of the department we had an opportunity of visiting, we found that there was a tractor, but it was out of repair for the last five years.

Then, Sir, there is the question of irrigation. I think the one real problem of the Agricultural Department of Bengal is the want of proper methods of irrigation. As far as I have been able to ascertain, there is no farm—there may be one or two—where mechanical irrigation is used. No agricultural officer has yet been able to tell me which is the particular type of irrigating method which he would recommend for a particular area. Somebody will suggest this method and some other will suggest a different method and still somebody else will say that all these will not do, better employ the ordinary country methods. I have never found any one in the department being able to give us any definite recommendation that such and such machinery has been used by the department and found successful.

The department nowadays is issuing a lot of bulletins regarding silage of fodder. The only farm where I have seen silage of fodder is the Dacca Farm. Many other farms have silos, but they are not used.

Then as regards ploughs and other up-to-date implements, till very recently although most of the farms did import Meston and Punjab ploughs and some other implements, none of them actually used them. They use the same *deshi* ploughs for cultivation as has been used by ordinary *chasas* for the last 300 years. Very recently they have invented —at least the agricultural engineer says so—a sort of light plough. They say all sorts of good things about this plough and this is used in the Dacca Farm; but in other farms this plough has not been used as yet. If that is the achievement of the department so far as their own farms are concerned, how can they say that these demonstration farms have been able to teach any up-to-date methods of cultivation which they themselves have not adopted? I do not wish to minimise the activities of the experimental and research side of the department and there I differ from my friend Dr. Naresh Chandra Sen Gupta. Of course there are many things which by proper research and experiment can be discovered which will benefit the tenants and the cultivators. But so far there are very few such discoveries to the credit of the department.

The department always point out to us their discovery of certain varieties of crops like the *Kakai Bombai* and the *Chinsurah Green*,

which give heavier and better yields, but I would like to warn the Hon'ble Minister for Agriculture that even the *Kakai Bombai* and the *Chinsurah Green* will not carry the department very far, unless in their future activities the department make a study of the real needs of the province and try to adopt proper methods for meeting those needs. It is no use building on theories from outside. You must get hold of young men who are keen on agriculture and demonstrate before them the improved methods of agriculture. First and foremost I think what the Agricultural Department ought to do is to make an attempt to solve this unemployment question by trying to induce young men to take to cultivation and earn a living by this means. These demonstration farms, as I have just submitted, are not being run as paying concerns and that is one of the reasons why these young men, and, as a matter of fact, all lay men do not take any interest in them. I should like to make a suggestion to the Hon'ble Minister that he should separate the experimental side of the farm from the commercial side. He should keep some farms in reserve for the purpose of experimenting and convert the others into purely commercial farms, from which others could take their cue and start on their own. It would perhaps be still better if instead of running all these farms departmentally, the Agricultural Department leased out some of these farms to young trained *bhadraloks* and make them run these under their own supervision——

[Here the member having reached his time-limit resumed his seat.]

3-45 p.m.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, the actual service rendered by the departmental farms has been questioned, and it has been alleged that money has been lavishly spent on these farms and wasted. With regard to the charge of extravagance, Sir, I would point out that there is a standard scale fixed for expenditure on each district farm and utmost economy is observed.

Then, Sir, a point has been taken and great importance has been attached to the point that these farms do not pay in their own way. In the first place, Sir, it will be noticed that the motion is for reduction of Rs. 1,000 from the provision for experimental farms. I trust, Sir, it will be conceded by the House that experiment must precede demonstration so that I may take it that the necessity for these farms is not seriously questioned. These farms are mainly for experimental work which cannot be obviously expected to pay their own way. No less an authority than the Royal Commission on Agriculture pointed out that "the question whether departmental farms should pay their way has been frequently discussed. Farms which have been established solely for experimental work cannot be expected to do so. Receipts are an entirely secondary consideration in their case. ..... Where district and

taheil farms exist to further what may be termed the general propagandist work of the department, we do not consider it essential that receipts should cover the whole expenditure which a commercial accountant will debit to it."

The department has, however, set apart a portion of each district farm for demonstration purposes so as to show that agriculture on improved lines, as advocated by the department, is a paying proposition. As a result of the demonstration given by these farms, there are at the present moment 165 private farms in the Presidency, namely, 110 in Western Bengal, 44 in Northern and 11 in Eastern Bengal which voluntarily ask for and obtain departmental advice; grow departmental crops; use departmental bulls and implements; and generally act as so many demonstration centres. This fact is an eloquent testimony to the solid work done by the Agriculture Department and agricultural farms in this direction. It is gratifying that so large number of middle class people is showing an inclination to take up farming, and they will be first to assure the hon'ble members that they always receive every assistance and encouragement from the Department of Agriculture. It is not possible for me to name all the gentlemen doing this pioneer work, but some of them must be known to the members of this House. I submit, Sir, that it is hardly fair to the department to minimise the valuable services rendered in this direction. The department is, in spite of financial difficulties, making the most of such opportunities for service as it has. It has not been failing in its efforts to improve the lot of the cultivator. It is fully alive to the utility of the ocular method of demonstration in the field of the cultivator and one of the means to that end is the *barga* system of cultivation under the close departmental supervision practised in various localities.

Further, the formation of district agricultural committees has been under consideration and if the proposal materialises, the next step may be to consider the possibility of running farms in selected areas on economic lines under their supervision. It would then be possible to associate some of those gentlemen who seem to be still sceptical about the utility of the farms and the value of the work done by them in the work of demonstration of the improved seeds evolved at the experimental farms and the improved methods and tools tested at such farms. In the meantime, I think that, as suggested by my friend, Sir Lancelot Travers, those of the hon'ble members of the House who wish to see for themselves the work that is being done at our farms, should be so good as to visit some of these farms and the officers of the Agriculture Department will be very glad to show them round and to explain to them the work that is being done by any of the farms that might be visited. I also sincerely share my friend Sir Lancelot Travers's desire to see more funds allotted to Agriculture. No one would have been more glad than myself if this could be arranged. But the present state of provincial

finance stands in the way. In the meantime, we should console ourselves with the fact that this is one of the few departments which has escaped the pruning knife of the Hon'ble the Finance Member.

Then, my friend, Mr. Narendra Kumar Basu, has challenged my statement that this department exists for service to the people by suggesting that the resources of the department were being utilised to assisting a foreigner to start and carry on a business of cigar and cigarette manufacture and sale. He has relied on an appendix to the report of the Bengal Provincial Banking Inquiry Committee. The reference in that report is to an agreement entered into by the Government of Bengal with Mr. A. K. Tennent for the sale of departmental tobacco seedling, cigar tobacco, cigar, etc. This agreement was entered into before I came to office, but I have since examined it and I have not the least hesitation in saying that if the experiment proves a success, it will doubtless prove advantageous to the cultivators of tobacco. The Rangpur Tobacco Farm has for years been trying to introduce improved varieties of tobacco into the district, both local and exotic. As a result of experiments, the Agriculture Department has proved that good and superior type of tobacco can be grown in Bengal, but the market for such tobacco was not readily available to the growers. The cultivator would not be expected to take seedlings of the superior tobacco unless and until a market was available. The object of the agreement with Mr. Tennent, which has since been transferred to Messrs. Andrew Yule & Co., is to provide a ready market for better class tobacco and thereby offer an adequate inducement to the cultivator to grow tobacco of superior character. The agreement provides for two items—

(*i*) sale of tobacco grown and cigars and cheroots manufactured in Government farms; and

(*ii*) distribution of seeds and seedlings.

In the terms of the agreement, the company have undertaken to find a market for the sale of tobacco grown and cigars and cheroots manufactured at Government farms and to take over everything that is produced and suitable price has been fixed to take over such products. With regard to the distribution of seeds and seedlings, necessary provision has been made to protect the interests of cultivators and others who may take up this business. The object of the agreement has been to insure that both the making of cheroots and the sale of cured leaf are in safe hands which will build up an international reputation for Bengal tobacco as a foundation on which the future commerce in this article may be built. This is now being done through Messrs. Andrew Yule & Co., who are collaborating with Indian capital in the matter. In the meantime, every extra maund of tobacco produced means increased profit to the Bengal cultivator of improved tobacco who receives about double for the leaf he produces. In the circumstances, the House will, I am

sure, agree with me that Government was fully justified in entering into this agreement with the firm and in not turning it down merely on the ground that the firm was not an Indian one but was a foreigner in the land of my friend, Mr. Basu. The extension of the cultivation of these exotic tobaccos requires capital of something like Rs. 1,00,000 per 100 acres and about Rs. 50,000 for recurring expenses. This does not include the cost of manufacturing.

The House can, therefore, understand that considerable capital has to be raised for such an undertaking as has been taken in hand by Messrs. Andrew Yule & Co. and without the assistance of foreign agency and foreign capital, it was hardly possible to develop this line at all.

In view of this explanation, Sir, I would ask the mover to withdraw his motion; otherwise Government must oppose it.

Rai KESHAB CHANDRA BANERJI Bahadur: Sir, in rising to speak on this motion, I desire to say only a few words in order to remove any misconception that may have arisen on hearing the speeches that have been made on the floor of this House. It was stated by Mr. Narendra Kumar Basu yesterday that these firms are intended mainly for the benefit of Europeans.

Mr. NARENDRA KUMAR BASU: I never said that.

Rai KESHAB CHANDRA BANERJI Bahadur: I stand corrected. I may mention in this connection that there are 26 agricultural farms in Bengal, four in the Burdwan division, four in the Presidency division, eight in the Dacca division, nine in the Rajshahi division, and one in the Chittagong division. All these experimental farms with the exception of those at Dacca and Rangpur are manned by Indian officers. It was also suggested by the hon'ble mover of the motion, if I remember aright, that these farms do not pay their way. In this connection, I may draw the attention of the House to the report of the Royal Commission on Agriculture, in which it is clearly stated that these experimental farms cannot be expected to pay their way; they are intended mainly to carry out research work and disseminate the result of research through the District Agricultural Officers. I am not here to defend the department. It is admitted that there is much scope for improvement so far as this department is concerned; it is admitted also that so far as the present Minister is concerned, he has been trying his best to improve and extend its sphere of usefulness. The criticisms that have been made against this department year after year have had some effect and as a first step towards this popularisation, a propaganda for the restriction of jute cultivation was carried out last year at the instance of the Hon'ble Minister and a similar propaganda has been done this year also, and I hope the result will be satisfactory. So

far as the work of these farms are concerned, I have already said that there is much room for improvement and I hope the Hon'ble Minister will take a note of the opinions that have been expressed in this House and see that proper steps are taken to popularise the department and make it more attractive and useful to the public.

Sir LANCELOT TRAVERS: Sir, on a point of personal explanation. Mr. Basu has associated me with some people called "Tennent and Company." Sir, I know a little about the tenant of land, but nothing of any Tennent Company. In regard to the curing of the tobacco leaf, I think it is most desirable that the secrets of the business should be learnt by Indians and that cheroots should be made in Rangpur.

4 p.m.

Rai Sahib PANCHANAN BARMA: Sir, the introduction of high grade tobacco was made by the Agricultural Department some time ago. At that time *deshi* tobacco was sold at Rs. 15 per maund, but we got by the cultivation of high grade tobacco a rate of Rs. 80 or even Rs. 120 per maund. Well, after that we found that there was no market for it and for that reason we had to give up the cultivation of Sumatra and other high grade tobacco. And now we find that the Burirhat Farm is cultivating Sumatra and other varieties of tobacco. We find also that Mr. Tennent is there, and with the help of the cultivators is cultivating tobacco of high grade quality. The tobacco grown there is Sumatra, Pennsylvania and Manila. They command a much better price than our ordinary tobacco. Last year we had to sell our tobacco at Rs. 5, Rs. 7 and at the utmost Rs. 10 a maund of the tobacco grown in Rangpur and Cooch-Behar areas. The price did not rise beyond Rs. 15, but the high grade tobaccos grown by this company were sold at Rs. 15, Rs. 25 and Rs. 35 per maund according to quality, and on the average the cultivator got Rs. 20 or Rs. 21 per maund. This was of great benefit to the cultivators at this time of distress. Mr. Tennent's Company is doing much valuable service by introducing the cultivation of tobacco on a sound scientific line. We cultivate tobacco by ordinary manuring, but now the company introduce cultivating tobacco by improved methods of manuring, by means of fertilisers, etc., and this has improved the quality of the tobacco, as well as the outturn. This year the company is proposing to introduce some more scientific methods of cultivation, and by these methods, I understand, the tobacco will grow better in quality as well as in quantity, and it will be of great benefit to the cultivator. By this method the soil will first have to be treated, and this treatment will cost Rs. 18, out of which the company will pay Rs. 12, and Rs. 6 will be paid by the tenant, and the tenant will gain about Rs. 25 per *bigha*.

This is a great gain. I have heard some complaint that the Agriculture Department is confining its work to the farms, and not bringing the results of its demonstrations to the cultivator, but this company is bringing everything to the door of the cultivators. Government is also helping in this direction. Whenever there are difficulties, Government officers go and solve them. I sought the help of the Government officers. I myself grew tobacco of a fine quality this year, and the agricultural officer helped me much. However, the Burirhat Tobacco Farm is doing a great deal of good, and also this company is helping us much. Therefore, while we have heard a good deal against the department, we must admit that it is doing a good deal of good.

The following motion of Munindra Deb Rai Mahasai was then put and lost:—

"That the demand of Rs. 2,01,000 under the head '34A—Agriculture—Experimental Farms' be reduced by Rs. 1,000 (to draw attention to the actual service rendered by these farms)."

Babu KHETTER MOHAN RAY: I beg to move that the demand of Rs. 2,01,000 under the head "34A—Agriculture—Experimental Farms" be reduced by Re. 1 (to raise discussion about the failure of the Government to give effect to the schemes for agricultural researches).

In rising to move this motion, I may be permitted to say that last year during the budget discussion the Hon'ble Minister in charge of Agriculture was pleased to observe that Government formulated a number of schemes for the improvement of the condition of agriculture in Bengal and succeeded, we were assured, in obtaining the approval of the Research Council to some schemes which would involve the grant by the Council to this province of Rs. 3,28,247. The schemes to which the Hon'ble Minister alluded were—

(1) foundation of an Agricultural Research Fellowship at Dacca University;

(2) the undertaking of research into the properties of colloid soil constituents by a professor of Calcutta University;

(3) the undertaking of research by another professor of the same University into agricultural statistics;

(4) experiments on cane-crushing and *gur*-boiling plant;

(5) a scheme for establishing a sugar-testing station in Bengal;

(6) a scheme for appointment of physical assistant to study soil problems under the Agricultural Chemist, Dacca;

(7) a scheme for completion of rice work in West Bengal and investigation into improvement of *Patnai* paddy;

(8) a scheme for investigation into animal nutrition problems; and

(9) a scheme for research into protection of buffaloes and cattle from certain diseases.

These are the schemes, we are told, which the Government intended to undertake. But we have not been told whether any of these schemes were put into execution or whether any attempts were made to carry them into effect during the current year.

Experiments on cane-crushing and *gur*-boiling and scheme for sugar-testing are most urgently needed for the amelioration of the condition of the Bengal cultivators. Hitherto cultivators of Bengal were concentrating almost their entire attention and energy on the cultivation of jute which used to bring them substantial profit. But in recent years cultivation of jute received a great set-back owing to abnormal fall in price of jute due to world crisis and over-production. Cultivators are looking forward in search of other commercial crops which can be cultivated with profit. In order to protect, and to foster the development of, sugar industries in India, the Government of India have levied tariff duty on the imported sugar and the people of the country have evinced a strong desire to consume indigenous sugar and *gur* in preference to the foreign sugar. The present seems most opportune time to take steps to encourage and develop the sugar-cane cultivation in our province as the prospects of the sugar industries in this country loom very large in the near future. If the cultivators are encouraged and helped by the Department of Agriculture to take to sugar-cane cultivation on a larger scale, it will indirectly help in restricting the jute cultivation, as by the cultivation of sugar-cane a large area will be transferred from the jute cultivation. The cultivators will be inclined to sow their fields with sugar-cane if they get a fair profit out of it. We know that the present methods of crushing sugar-cane and boiling *gur* are very crude involving a waste of considerable quantity and thereby leaving a narrow margin of profit to the cultivators. It is needless to say that in order to avoid wastage and to secure a fair profit to the cultivators, they should be taught improved methods of sugar-cane-crushing and *gur*-boiling. Of the various schemes enumerated above, two relate to these subjects. We are not aware if the Government have taken up these schemes which would prove very useful in the present need of the country.

As regards the scheme for research into protection of buffaloes and cattle from certain diseases, we are not aware whether anything is done in this direction. Thousands of cattle are dying in our country from contagious and other diseases which are preventible. But the Veterinary Department has up to this time done nothing to check the spread of these diseases. I need not dilate upon other schemes, the utility of which is obvious to all.

In conclusion, I would ask the Hon'ble Minister how far the Department of Agriculture has proceeded with these schemes which the Hon'ble Minister declared last year they would take up. I hope the Hon'ble Minister would enlighten us on the point.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, I am afraid, my friend Babu Khetter Mohan Ray has not kept himself in touch with recent developments. As I explained, Sir, in asking for the demand under the head "Agriculture" last year, inauguration of the Bengal Agricultural Research Committee, in accordance with the recommendations of the Royal Commission on Agriculture, offered up a vista for intensive research work with the facilities offered by the Imperial Council of Agricultural Research. We have not been slow to take full advantage of the facilities thus offered. We formulated a number of schemes, and we have succeeded in obtaining the approval of the Council to certain schemes which would involve the grant by the Council to this province of Rs. 3,28,247. I gave a list of those schemes last year, and I need not repeat it now. Never more than now has the time been more propitious for the initiation of schemes of agricultural research. Never did research work receive a greater impetus in the shape of financial assistance. The House may rest assured that the Department of Agriculture and Government are keenly alive to the necessity of research for the improvement of agriculture in the province, and that we shall take the fullest advantage of every opportunity which may present itself to further this end.

What I have stated will, I hope, induce my friend to withdraw his motion; otherwise Government must oppose it.

The motion of Babu Khetter Mohan Ray was then, by leave of the Council, withdrawn.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to move that the demand of Rs. 2,01,000 under the head "34A—Agriculture—Experimental Farms" be reduced by Re. 1 (to draw attention to the poor character of the *mufassal* agricultural farms and the necessity of starting farms for effecting demonstrations in rural areas).

4-15 p.m.

I have to say a few words in support of my motion with regard to the demonstration farms. It appears to me that these are the only evidences of the activities of the department to the cultivators in general; it is not, therefore, a question of doing away with the farms altogether. What is needed, as Sir Lancelot Travers has said, is that the demonstrations should be brought home to the people more thoroughly and more closely. At present demonstration officers are located in district towns and subdivisional headquarters, and the result is that the cultivators generally do not get the benefit of closely and

properly observing the results of experiments carried on in these farms. These demonstrators try to keep themselves as much aloof as possible from the general body of cultivators with the result that most of these demonstrations really fail in their object. At present, there is no question of the practicability of applying really improved and scientific methods of cultivation in our country. But between the old ways and the new ways there are stages to be gone through and, as a matter of fact, these stages ought to be gone through. Regarding the proper method of bringing improved seeds to the door of the cultivators, necessary steps should be taken by the demonstrators, and as this is one of the steps in the direction of reforms, this should be done by demonstration which should be located in rural areas, and not merely in farms which are located in towns, as has been suggested by Sir Lancelot Travers. These demonstrators ought to be enjoined to go about the villages and demonstrate before the cultivators how things are to be done. I know, Sir, from my experience that if one cultivator is successful with a particular seed, he is at once imitated by others, as has been proved in the case of *Kakina Bombai* jute. In that case the result has been satisfactory. It is no use having demonstration farms in towns. Demonstrations should be held in the plots of the cultivators who should be told what to do and what not to do. In this way they can make themselves very much useful and much money which is at present wasted may be utilised for better purposes. I hope the Hon'ble Minister will see to it that these farms are not located in towns as at present and that demonstrations are held in rural areas within the full gaze of the agriculturists and the demonstrators should move amongst them as their friend, philosopher and guide.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, I have nothing further to add in this connection to what I have already stated in reply to the motion of the Rai Mahasai. The only thing I would like to add now is to ask the hon'ble member to go and see our farms, and after that, if he chooses to make any suggestion, his suggestion will be examined by our experts. Sir, what we have done we have done on the advice of our expert officers, and I may add in this connection that the policy adopted in respect of our agricultural farms has been approved by the Royal Commission on Agriculture. You can well understand, Sir, it is difficult to accept the suggestions and advice of every individual member as against the opinions of our experts and against the policy recommended by the Royal Commission on Agriculture.

The motion of Babu Satish Chandra Ray Chowdhury was then, by leave of the Council, withdrawn.

Dr. AMULYA RATAN GHOSE: I beg to move that the demand of Rs. 1,38,000 under the head "34A—Agriculture—Botanical and other Public Gardens" be reduced by Re. 1 (to draw attention to the difficulties of the public with regard to obtaining pure drinking water, etc., while in these gardens).

Sir, I have brought this motion with the object of providing water in the botanical gardens of Government and I have got to say a few words about this matter. I think I am in a difficult position to speak on matters of this kind, as it concerns a local matter. Yesterday I heard that I was lacking in sense of proportion for bringing motions of this character while no less a person than the gentleman who was for so many years the Chairman of the Corporation of Calcutta—Rai Bahadur Dr. Dutt——

Mr. PRESIDENT: We have nothing to do with that to-day. Please go on with your own motion.

Dr. AMULYA RATAN GHOSE: I got no opportunity of replying yesterday, Sir!

Mr. PRESIDENT: Do you mean to say that there will be no end of it?

Dr. AMULYA RATAN GHOSE: You have saved the Rai Bahadur, Sir! Now, Sir, about the difficulty experienced by visitors in the Sibpur Botanical Gardens for want of water-supply in that place. The area of the gardens is well known to many of the members of this House as well as to the Minister in charge of the Department. While going round the gardens, one would naturally feel for want of supply of good drinking water in that locality. I would also like to draw the attention of the Hon'ble Minister to the want of supply of water in the Darjeeling Birch Hill. Repeated complaints have been made about the scarcity of water in that place by the visitors, which will be found, in the book kept there for remarks. The same is the case with the Tiger Hill where people go to see the sunrise. There also people suffer awfully from scarcity of water. I think Government ought to see to the comforts of the people, who should not suffer from scarcity of water, where people from far and near go as visitors. Even tourists from every other part of the world come to these places as visitors——

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: May I point out to the mover, Sir, that Darjeeling is not within my jurisdiction? The Botanical Gardens at Darjeeling are not under my charge.

Dr. AMULYA RATAN GHOSE: However, Sir, the Sibpur Botanical Gardens are under the charge of the Hon'ble Minister and I request him to see to proper arrangement of water-supply there.

With these words, Sir, I request the Hon'ble Minister to accept my motion.

Mr. SARAT KUMAR ROY: Sir, the Botanical Gardens are under the charge of the Agricultural Department. This deficiency of supply of drinking water in the gardens was pointed out by Col. Galder in his last annual report on the gardens. The matter was discussed in the meeting of the Standing Committee on Agriculture, where this report was submitted, by me. The Hon'ble Minister promised to look into the matter. I now draw the attention of the House and of the Hon'ble Minister about the promise he then made and I hope to hear from him a favourable reply.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, the mover has drawn the attention of the House to the long-left want of supply of pure drinking water felt by the visitors to the Royal Botanic Garden. This want would be removed by the erection by the Electric Supply Company of a refreshment kiosk in return for permission to erect a small superstructure in the garden over the mouth of the tunnel under the Hooghly. Negotiations are in progress, and it is hoped that the project will materialise before long. When we get the kiosk, I think it will be an easy matter to get a lessee to arrange a supply.

In view of this assurance, I hope the hon'ble member will be prepared to withdraw his motion; otherwise Government must oppose it.

Dr. AMULYA RATAN GHOSE: May I inquire if these negotiations fail, is the Government prepared to arrange for water-supply in the Botanical Gardens?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Negotiations are practically complete and I do not anticipate a failure, and I hope it will be accomplished in the near future.

The motion of Dr. Amulya Ratan Ghose was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 1,00,000."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 1,000 (failure to carry out the policy of improvement of agriculture and not giving proper relief to the agriculturists in their economic distress)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 1,000 (to criticise the policy hitherto followed by the department and the uselessness of maintaining a top-heavy administration)."

Maulvi ABDUL HAMID SHAH: I beg to move that the demand of Rs. 10,10,000 under the head "34A—Agriculture" be reduced by Rs. 1,000 (work of the officers in connection with the destruction of the water-hyacinth pest).

He spoke in Bengali, the English translation of which is as follows:—

"Mr. President, the water-hyacinth constitutes a serious menace. Every one, from the Government down to the illiterate peasant, is anxious to rid the province of this pest. We had it even from the Hon'ble Sir Ghuznavi during the last year that Government are quite prepared to accept and act up to any effective plan for the eradication of this evil. Accordingly, for the last two years, I have been trying to find out how it can be eradicated, and I place before the House the results of my experience.

In the beginning of the month of *Jaishtha*, 1336 B.S., I undertook a journey by water along the river Kansa up to a certain extent of the Garo Hills. From observation it appeared to me that it was the hilly tracts that formed the original home of the water-hyacinth, and that it came down and found its way into the rivers, ditches, tanks and plains during the rainy season. I would now make a suggestion and I venture to say that if a special officer from each of the two departments, Irrigation and Agriculture, together with a number of demonstrators from the Department of Agriculture are deputed to carry out the suggestion, not only will the water-hyacinth problem be solved, but agriculture also will be very largely improved.

(1) In a given district a number of centres should be opened under the jurisdiction of two or three subdivisions.

(2) Places by the side of such rivers as are swift-flowing but narrow should be selected as areas suitable for opening the centres.

(3) The sites for these centres should be taken on lease for a period of two years from the cultivators of the locality. These cultivators will not object to leasing out their lands provided they receive from the Agricultural Department either a quantity of crops a little in excess of what is yielded by the given portions of land or its equivalent in money.

(4) A square hole, six feet deep, should be dug at a spot on the bank of the river to which water-hyacinth can be easily dragged up.

(5) During the months of *Baisakh* and *Jaishtha* the hole should be filled up with water-hyacinth drawn out of the river by labourers, recruited from among the cultivators, and it should be rendered compact

with wheat. Left in this compact state, decomposition will set in within a week's time in the lowermost layers of the water-hyacinth. The process of natural decomposition may be further quickened and water-hyacinth converted into an excellent manure if each layer of water-hyacinth be dressed with ammonium phosphate or sodium nitrate. A manure thus obtained will be far superior to one imported from foreign countries.

(6) A demonstrator should be permanently engaged at each centre and it will be his duty to have water-hyacinth drawn out from the river whenever it will be found drifting along with the current during the rainy season, and to get it converted into manure.

(7) At the end of the rainy season the land taken on lease should be leased out according to the *barga* system to either the lessor-cultivator or any other cultivator and arrangements should be made for raising a crop under the instructions of the agricultural officer appointed for the purpose.

(8) Half the quantity of crop thus raised should be given to the *bargadar* as his remuneration and out of the other half a quantity should be made over to the lessor in accordance with the stipulated rate and the surplus that will remain will almost cover the expenses incurred by the Government. Moreover, the quantity of manure that will be left over will, in my opinion, help the Government to make a profit out of it.

Sir, in conclusion, I submit that if the above suggestion is acted up to, the possibility of water-hyacinth coming down from high lands to the plains will be at an end. Hence it will be easy to destroy the water-hyacinth in the plains. Then again, the manure obtained out of water-hyacinth will prove an excellent manure for the fields, and its manufacture will afford employment to the rural labour and bring the Agricultural Department of the Government into closer touch with the tillers of the soil. Above all, the excellence and the usefulness of this manure will give an additional impetus to the destruction of water-hyacinth.

Lastly, I hope that Government will be in a position to find money for the preliminary expenses of starting a number of centres in subdivisions."

[The time-limit for the discussion of the demand under the head "34—Agriculture" having been reached.]

The motion of Maulvi Abdul Hamid Shah was put and lost.

The motion that a sum of Rs. 22,80,000 be granted for expenditure under the head "34—Agriculture" was then put and agreed to.

[At 4-30 p.m. the Council was adjourned for prayer and it reassembled at 4-45 p.m.]

The following motions under the head "34—Agriculture" were not called owing to the expiry of the time-limit:—

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 100 (to raise a discussion on the policy of the Agriculture Department, the excess of overhead expenditure in comparison with service rendered and the absence of a policy or programme)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 100 (to draw attention to the failure of the department to do any substantial good to the agriculturists of the province)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 100 (to draw attention to the huge waste of money by this department to do any appreciable good to the agriculturists)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 100 (to criticise the jute policy of the department and its inability to devise suitable methods of control of production and the market)."

Babu HARIBANSA ROY: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 100 (to criticise the agricultural policy of the Government)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 100 (the distress caused in the Tangail subdivision for want of paddy and jute seeds and the apathy of the Government towards the situation)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 100 (need of training up young men in improved methods of agriculture and the promulgation of the advanced knowledge of agriculture in the rural areas)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 100 (to draw attention to the necessity for establishment of agricultural schools in every subdivision of the districts under the supervision of Subdivisional Agricultural Officer)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Rs. 20 (to raise a discussion about the indifference of Government regarding the improvement of agriculture specially in the district of Chittagong)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Re. 1 (to draw attention to the poor and inadequate grant for agricultural purposes)."

Babu KHETTER MOHAN RAY: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Re. 1 (to raise discussion about the appointment of a board for improvement and development of jute industries and trade and for dissemination of necessary informations amongst the cultivators, especially with reference to the restriction of jute cultivation)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Re. 1 (failure of the department to restrict and control the production of jute and the inevitable result of fall in the prices thereof)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 10,10,000 under the head '34A—Agriculture' be reduced by Re. 1 (to discuss jute forecast and jute policy)."

Babu JITENDRALAL BANNERJEE, Mr. NARENDRA KUMAR BASU, Maulvi SYED MAJID BAKSH, Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 1,16,000 under the head '34B—Veterinary charges—Grant to Calcutta Society for the Prevention of Cruelty to Animals' be refused."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 1,16,000 under the head '34B—Veterinary charges—Grant to Calcutta Society for the Prevention of Cruelty to Animals' be reduced by Rs. 1,000 (to raise a discussion about the general policy, conduct of the Secretary in refusing to accept membership fees from certain gentlemen and charges of defalcation of public money, etc.)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 1,16,000 under the head '34B—Veterinary charges—Grant to Calcutta Society for the Prevention of Cruelty to Animals' be reduced by Rs. 500 (to suggest that the Calcutta Society for the Prevention of Cruelty to Animals be taken under the direct control of the Government or the Corporation of Calcutta)."

Mr. S. M. BOSE: "That the demand of Rs. 1,16,000 under the head '34B—Veterinary charges—Grant to Calcutta Society for the Prevention of Cruelty to Animals' be reduced by Rs. 101 (to discuss the administration of the Calcutta Society for the Prevention of Cruelty to Animals)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,16,000 under the head '34B—Veterinary charges—Superintendence—Grant to Calcutta Society for the Prevention of Cruelty to Animals' be reduced by Rs. 50 (to criticise the working of the department)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,16,000 under the head '34B—Veterinary charges—Grant to Calcutta Society for the Prevention of Cruelty to Animals' be reduced by Re. 1 (to draw attention to the mismanagement and mishandling of Calcutta Society for the Prevention of Cruelty to Animals' money)."

Mr. SARAT KUMAR ROY: "That the demand of Rs. 1,37,000 under the head '34B—Veterinary charges—Veterinary Instruction' be reduced by Re. 1 (to raise a discussion on the advisability of introducing in the curriculum of studies of the Bengal Veterinary College, instructions in rearing and breeding of horned cattle and poultry, along with instructions in the treatment of their diseases so as to turn out students who will be able to perform dual functions of treatment of horned cattle and poultry both in their health and disease, in the discharge of their duties as Veterinary Assistants)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 1,46,000 under the head '34B—Veterinary charges—Hospitals and dispensaries' be reduced by Rs. 100 (to discuss the absence of veterinary aid in rural areas and the deterioration of cattle in Bengal)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 4,86,000 under the head '34B—Veterinary charges' be reduced by Rs. 100 (to draw the attention of the Government towards the necessity of making easily available the vaccination of cattle at all places at smaller expenses)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 4,86,000 under the head '34B—Veterinary charges' be reduced by Rs. 30 (to raise a discussion about the neglect of the authority regarding the improvement of veterinary establishment and supplies at Chittagong)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 4,86,000 under the head '34B—Veterinary charges' be reduced by Re. 1 (to criticise the ill-treatment by the staff of the Veterinary dispensaries and hospitals to the cattle)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Rs. 1,000 (to discuss about the unusual delay in the disposal of cases instituted by the co-operative societies)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Rs. 500 (general policy and inefficiency of the officers)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Rs. 100 (to raise a discussion on the policy of the Co-operative Department, specially with regard to the co-operative jute societies, and the absence of any Government grants to assist co-operative finance)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit Societies' be reduced by Rs. 100 (working of the Co-operative Department)."

Babu AMULYADHAN RAY: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Rs. 100 (to set apart at least 25 *per cent.* of the appointments for the candidates of the backward classes as enumerated on page 189, Part I, of the Calcutta University Commission Report)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Rs. 100 (to draw attention to the urgency of a comprehensive co-operative programme and the declaration of a moratorium of agricultural debts as a preliminary measure)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Rs. 100 (to raise a discussion on the co-operative credit movement)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Rs. 100 (grievances of the rural societies)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Rs. 35 (to raise a discussion and draw attention of the authorities as to how the different co-operative organisations are working at Chittagong)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Re. 1 (to draw the attention of the Government to the desirability of making more appointments as Inspectors and Auditors in the Co-operative Department from amongst the candidates of the backward classes)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Re. 1 (to express disapproval of the mismanagement and mishandling of co-operative money in Bengal, specially in Comilla Central Bank)."

Mr. A. F. M. ABDUR-RAHMAN: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Re. 1 (to raise a discussion on the non-appointment of Auditors)."

Babu LALIT KUMAR BAL, Mr. SARAT CHANDRA BAL and Rai Sahib REBATI MOHAN SARKER: "That the demand of Rs. 7,69,000 under the head '34C—Co-operative Credit' be reduced by Re. 1 (to discuss the policy with respect to the depressed classes in the matter of appointment in the department)."

Babu SATYA KINKAR SAHANA:: "That the demand of Rs. 22,80,000 under the head '34—Agriculture' be reduced by Rs. 2,00,000."

Babu AMULYADHAN RAY: "That the demand of Rs. 22,80,000 under the head '34—Agriculture (Reserved and Transferred)' be reduced by Rs. 100 (inability of the department to tackle the agricultural problem)."

Maulvi ABUL KASEM: "That the demand of Rs. 22,80,000 under the head '34—Agriculture' be reduced by Rs. 100 (to draw attention to the inadequacy of the grant and deficiency in administration as well as the neglect of Government in taking action under the Village Agricultural and Sanitary Improvement Act)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 22,80,000 under the head '34—Agriculture' be reduced by Re. 1 (to discuss the agricultural policy of Government)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 22,80,000 under the head '34—Agriculture (Reserved and Transferred)' be reduced by Re. 1 to draw attention to the facts that the number of Muhammadans appointed in the departments, namely, (1) Agriculture, (2) Veterinary and (3) Co-operative, are very small)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 22,80,000 under the head '34—Agriculture (Reserved and Transferred)' be reduced by Re. 1 (to draw attention to the fact that heavy losses are being incurred specially at Banskhali and Maishkali in Chittagong as a result of the failure of *pan*)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 22,80,000 under the head '34—Agriculture' be reduced by Re. 1 (to draw attention to the prevailing distress among agriculturists and to urge legislation with a view to declaring a moratorium of agricultural debts and organization of co-operative credit for financing agriculture on a comprehensive scale)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 22,80,000 under the head '34—Agriculture' be reduced by Re. 1 (to draw attention of the department regarding the need for improvement of horticulture, fruit-growing and marketing of fruits in the Presidency)."

35—Industries.

The Hon'ble NAWAB K. G. M. FAROQUI, Khan Bahadur: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 10,56,000 be granted for expenditure under the head "35—Industries."

As the House is aware, this budget provides for charges for Electrical Adviser and his staff and the Cinchona Plantations which are reserved items as well as Industries proper which alone is transferred. I have no comments to make with regard to the reserved portion of the budget.

Turning to the Industries transferred budget, the estimate provides for an expenditure of Rs. 7,10,600 against the provision of Rs. 8,25,000 in the current year's budget. This comparatively low provision is mainly due to the present abnormal financial situation. I trust, Sir, the Council will share my disappointment that it has not been possible to provide for an expansion even in this nation-building department, to cope with the needs of the province. In fact, many development schemes which have been carefully worked out, have been held in abeyance for want of funds. The activities of the department will have, in the circumstances, to be confined within the available resources.

I would, however, assure the House that there will be no relaxation of the normal activities of the department on the lines of the accepted policy. These activities can be briefly summarised under six heads, namely, (1) research and experiments, (2) demonstration and propaganda, (3) encouragement of indigenous industries by technical assistance and advice as well as by securing special concessions where possible, (4) organisation of markets for local products, (5) provision for technical and industrial education, and (6) collection of information and statistics. But, as the Council is aware, the underlying object of all these activities is to stimulate the development of cottage and home industries. It is with this end in view that the State Aid to Industries Act, 1931, has been brought into being. The Act received the assent of the Governor-General recently and became the law of the land only in January, 1932. It is essential to go through certain requisite preliminaries, namely, the framing of statutory rules and the constitution of the Advisory Board of Industries before the Act can be brought into operation. Necessary steps have been taken to expedite the matter and it is hoped that it will be possible to constitute the Board and bring the Act into operation at an early date. Though the present financial stringency of Government will be a handicap, I do, however, hope that it will be possible to make some headway within the limited resources available. Recently with a view to exploring the possibility of further utilisation of the agency of the Industries Department towards the solution of the unemployment problem with the assistance of the provisions of the State Aid to Industries Act, I invited the co-operation of representatives of various groups in the Council and called for suggestion of any schemes which they might recommend. Among those who were so consulted were Mr. W. H. Thompson, Mr. J. N. Basu, Mr. N. K. Basu, Mr. B. C. Chatterjee, Khan Bahadur Muhammad Abdul Momin, Khan Bahadur Asizul Haque, Mr. A. F. Rahman, Mr. A. Raheem, Mr. Razaur Rahman Khan, Mr. Syamaprosad Mookerjee and Mr. Mukunda Behary Mullick. An informal discussion was subsequently held at which the suggestions received were examined. The conclusions arrived at are now engaging the attention of the department with a view to working out detailed schemes. I would assure the Council that every effort will be made to

implement the recommendations of the conference and that if I find it necessary, I shall approach the Council again for more money to carry out these schemes. In the meantime, I may mention that it has been possible to provide in the estimate for a scheme for a motor mechanic class in the Edward Bonomali Technical School at Pabna. There is already a demand for training in motor engineering and it is proposed to open a two years' course which will be mainly practical and will ordinarily include repair work and driving towards the end of the course. It is hoped that the scheme will prove useful as a means of tackling the local unemployment problem. Financial stringency, however, has not allowed me to make provision for any other new schemes.

With these words, Sir, I commend my motion to the acceptance of the House.

The following motion was called but not moved:—

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 34,000 under the head '35—Industries (Reserved)—Electrical Adviser' be refused."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 77,000 under the head "35A—Industries (Transferred) —Industrial Development" be reduced by Rs. 501 (to raise a discussion on the necessity of the development of industries on co-operative basis and by special grants under the State Aid to Industries Act).

Sir, I beg to move the motion that stands in my name. Last year at about this time I urged the necessity of the development of industries on co-operative basis and offered some practical suggestions for consideration and adoption if found feasible. Unfortunately 12 long months have softly glided away and nothing has been done. Sir, as all wisdom has been monopolised by Government, ours is a cry in the wilderness. It appeared that the Department of Industries like that of Agriculture devoted the best part of their time to the preparation of their report in elegant language rather than doing any practical work of public utility. It would not serve any useful purpose to the country to maintain a good number of fat-salaried men at the head without practically any work to do. This sort of eye-wash may have a temporary effect but cannot deceive the people for all time. The energy of both the Departments of Agriculture and Industries is being directed into the wrong channel. The Hon'ble Minister's fine speech, though pleasing to the ear, failed to convince us about the practical utility of maintaining those departments. May I ask, Sir, have these departments succeeded to any extent in solving the problem of unemployment which is assuming alarming proportions day after day? The bread problem is the problem of problems which required the first consideration of Government. Sir,

the Departments of Agriculture and Industries were maintained primarily for that purpose. But, Sir, may I ask, has any serious attempt been made towards the solution of this great problem which has over-shadowed all other economic problems with which the country was confronted? Had a practical solution been found out, the political unrest would not have taken such a serious turn. The hungry stomach was responsible for many of the ills we suffered from.

Sir, may I call the State Aid to Industries Act as another eye-wash to deceive the public? The sponsor of the Bill may gloat over this great achievement of his, but, Sir, may I ask, does he sincerely believe that full effect will be given to the provisions of the Act at any rate in the near future? It was bound to remain untouched in the Statute Book. So why this fuss about a pious wish?

To speak the plain and unvarnished truth, it can safely be asserted that the Government existed primarily not in the interests of the children of the soil but for the benefit of foreign manufacturers and foreign exploiters. Had not that been the case, the indigenous industries of the country would not have been smothered out of existence. The flourishing weaving industry of Bengal has been sacrificed at the altar of Manchester. The maintenance of a weaving school here and there cannot compensate for the incalculable harm done to the industry. This is another instance of eye-wash. It was mockery to show such paternal interest in the sham revival of this industry after killing it outright. Instances like this can be multiplied a thousand times in case of other flourishing industries, for which the country was once famous. It may be urged that they died natural deaths as they could not hold their own in open competition. But, Sir, has any serious attempt been ever made to protect indigenous industries as is done in any other country? Has any sincere attempt been made to give adequate industrial training to the people and to open out new vistas of employment? Have the foreign business magnates ever afforded opportunities to train young Bengal in industrial pursuits? No. They wanted clerks and clerks only. The training given in the schools and colleges was well suited for turning out clerks—the supply exceeded the demand. Sir, the consensus of opinion in the country is that the Industries Department is being maintained to keep up the show and not to do any real good to the country. To turn this country into areas of industrial centres required imagination, tact, resourcefulness and a patriotic heart. It required indomitable courage to stand against the interest of the foreign capitalists. But it seems that was not the business of the members who adorn the treasury benches, who dance to the tune of the real masters who hold the string from behind.

With these few words, I commend my motion to the acceptance of the House.

Rai Dr. HARIDHAN DUTT Bahadur: In order to utilise the four or five minutes that remain before the guillotine falls, I rise to support the proposal of my friend Munindra Deb Rai Mahasai. It strikes me that in furtherance of the cause which has been placed before the Council by the Rai Mahasai, I need only point out that it is quite possible for the Industries Department to do a great service to the country by extending the manufacture of quinine in this country by competent manufacturing firms with the help of the resources of Government. It is undoubtedly a fact that Bengal of all countries in the world requires quinine the most. But the people are too poor to pay the present price which should be brought down. My information is that a large quantity of quinine is now with Government, but that is not available to public for some unknown reason. Whatever that may be, large quantities of quinine are annually imported from Java through England and distributed here in India. May I ask the Government to explain how is it that all the year round no attempt is made to increase the manufacture of quinine from the cinchona bark which is grown in the Government plantations? I ask them to tell us how is it that a large quantity of cinchona bark is now lying undisposed of and not permitted to be sold to anybody? During the last 30 or 40 years, chemical factories have sprung up in Bengal; a few of them are quite capable of manufacturing quinine with the help of modern machinery, but in the absence of facilities for getting the cinchona bark, they cannot attempt to do so. The result is that we have still to buy quinine from outside at a high price. From a Bengali journal of recent date I find——

[Here the time-limit for the discussion of the demand under the head "35—Industries" was reached.]

The motion of Munindra Deb Rai Mahasai was put and lost.

The motion that a sum of Rs. 10,56,000 be granted for expenditure under the head "35—Industries" was then put and agreed to.

The following motions under the head "35—Industries" were not called owing to the expiry of the time-limit:—

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 77,000 under the head '35A—Industries (Transferred)—Industrial Development' be reduced by Rs. 101 (to raise a discussion on the necessity of the development of home industries practically to organise the weavers of the Narayanganj subdivision on co-operative basis)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 18,600 under the head '35A—Industries (Transferred) Inspection' be reduced by Rs. 10,000."

Maulvi SYED JALALUDDIN HASHEMY, Babu JITENDRALAL BANNERJEE, MUNINDRA DEB RAI MAHASAI, Kazi EMDADUL HOQUE and Maulvi HASSAN ALI: "That the demand of Rs. 18,600 under the head '35—Industries (Transferred)—Inspection' be reduced by Rs. 101 (to criticise Government with special reference to the posts of Inspectors as other officers of the department are all highly technically qualified)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,88,000 under the head '35A—Industries (Transferred)—Technical and Industrial Schools' be reduced by Rs. 1,000 (need for retrenchment)."

Mr. A. F. RAHMAN: "That the demand of Rs. 1,88,000 under the head '35A—Industries (Transferred)—Technical and Industrial Schools' be reduced by Rs. 100 (to raise a discussion on the policy of Government in making unusual delay to bring the temporary establishment of the Tanning Institute on a permanent footing)."

Babu JITENDRALAL BANNERJEE, Kazi EMDADUL HOQUE, MUNINDRA DEB RAI MAHASAI, Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 1,88,000 under the head '35—Industries (Transferred)—Technical Industrial School' be reduced by Rs. 100 (to raise a discussion and to criticise the policy of Government in making unusual delay in bringing the temporary establishment on a permanent footing so far as the Bengal Tanning Institute is concerned and other related matters thereto)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,88,000 under the head '35A—Industries—Technical and Industrial Schools' be reduced by Re. 1 (maladministration in the Tanning Institute)."

Babu AMULYADHAN RAY: "That the demand of Rs. 39,000 under the head '35A—Industries (Transferred)—Scholarships' be reduced by Rs. 100 (want of any provision as special stipends and scholarships for the candidates of the backward classes as enumerated on page 189, Part I, Calcutta University Commission Report)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 4,80,600 under the head '35A—Industries (Transferred)—Industrial Education' be reduced by Rs. 100 (to raise a discussion on the desirability of contribution towards the industrial and technical schools for the depressed class students under the management of the Hindu Relief Society)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 6,84,600 under the head '35A—Industries (Transferred)' be reduced by Rs. 600 (to draw attention to the misuse of money by the department)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAM ALI: "That the demand of Rs. 6,84,600 under the head '35A—Industries (Transferred)' be reduced by Rs. 500 (general policy and failure to improve indigenous industries)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 6,84,600 under the head '35A—Industries (Transferred)' be reduced by Rs. 10 (to discuss the industrial policy in relation to unemployment)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 6,84,600 under the head '35A—Industries (Transferred)' be reduced by Rs. 10 (to draw attention to the fact that the State Aid to Industries Act has practically become a dead letter)."

Maulvi AZIZUR RAHMAN: "That the demand of Rs. 6,84,600 under the head '35A—Industries (Transferred)' be reduced by Re. 1 (to raise a discussion about the small percentage of Muslim officers in this department)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 6,84,600 under the head '35A—Industries (Transferred)' be reduced by Re. 1 (to draw attention to the absence of an industrial policy and the failure of the Government to take any steps to give effect to the State Aid to Industries Act)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 3,11,000 under the head '35B—Cinchona Plantations' be reduced by Rs. 100 (to draw attention to the inadequate supply of quinine and the high prices charged for it)."

Rai Dr. HARIDHAN DUTT Bahadur: "That the demand of Rs. 3,11,000 under the head '35B—Industries—Cinchona Plantations (Reserved)' be reduced by Rs. 10 (to discuss possibility of manufacture of quinine at cheaper rates by indigenous industry for use in India)."

Rai Dr. HARIDHAN DUTT Bahadur: "That the demand of Rs. 3,11,000 under the head '35B—Cinchona Plantations (Reserved)' be reduced by Rs. 10 (to suggest sale of cinchona bark to industrial concerns capable of manufacturing quinine in India)."

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 10,56,000 under the head '35—Industries' be reduced by Rs. 2,00,000."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 10,56,000 under the head '35—Industries' be reduced by Rs. 1,000 (policy with regard to industries of Bengal)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 10,56,000 under the head '35—Industries' be reduced by Rs. 100 (to discuss the policy of the Government relating to the indigenous products and *swadeshi* goods)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 10,56,000 under the head '35—Industries' be reduced by Rs. 100 (to discuss the general policy and its practical application)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 10,56,000 under the head '35—Industries' be reduced by Rs. 100 (to criticise the policy of the department and for not making any provision to give effect to the State Aid to Industries Act, 1931)."

Rai KAMINI KUMAR DAS Bahadur: "That the demand of Rs. 10,56,000 under the head '35—Industries' be reduced by Rs. 40 (to raise a discussion how the home-industries are being neglected and money is being lavishly spent in the pay and allowances of officers and in establishment charges, neglecting the means to be adopted and funds to be supplied for the industrial improvement in Bengal)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 10,56,000 under the head '35—Industries' be reduced by Re. 1 (to draw attention to the insufficiency of the demand)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 10,56,000 under the head '35—Industries (Reserved and Transferred)' be reduced by Re. 1 (for the reason that the number of Muhammadans appointed in this department is very small)."

6 p.m.

[At this stage the allotted time in connection with the demands for grants as a whole was reached.]

37—Miscellaneous Departments.

The following motion was put and agreed to:—

"That a sum of Rs. 2,07,000 be granted for expenditure under the head '37—Miscellaneous Departments'."

The following motions failed owing to the expiry of the time-limit:—

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,36,560 under the head '37A—Inspector of Factories' be reduced by Rs. 10,000."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,36,560 under the head '37A—Miscellaneous—Inspector of Factories' be reduced Re. 1 (paucity of Muhammadan officers in the office of the Inspector of Factories)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 462 under the head '37B—Provincial Statistics—Registration of Births, Deaths and Marriages' be reduced by Re. 1 (to discuss the necessity of maintaining a register of unemployed)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 38,500 under the head '37D—Miscellaneous—Smoke Nuisances Commission' be refused."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 38,500 under the head '37D—Miscellaneous—Smoke Nuisances Commission' be reduced by Rs. 100 (to call attention towards the awful condition of Howrah due to smoke)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 38,500 under the head '37—Miscellaneous—Smoke Nuisances Commission' be reduced by Re. 1 (paucity of Moslems in the office of the Smoke Nuisances Commission)."

41 and 60—Civil Works.

The following motion was put and agreed to:—

"That a sum of Rs. 75,16,000 be granted for expenditure under the heads '41—Civil Works' and '60—Civil Works not charged to Revenue'."

The following motions failed owing to the expiry of the time-limit:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 16,53,646 under the head '41A—Civil Works (Transferred)—Communications' be reduced by Rs. 1,000 (to urge the necessity of construction of roads in Arambagh and the Saraswati bridge at Tribeni)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 16,53,646 under the head '41A—Civil Works—Communications' be reduced by Rs. 500 (delay in commencing the works on Road Board's recommendation in the Mymensingh district)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 12,97,900 under the head '41—Civil Works—Establishment' be reduced by Rs. 100 (to draw attention to the necessity of selling or leasing to Muslim public bodies or other persons suitable plots of Government land in case no private land is available in the vicinity of court houses for the construction of mosques with a view to offer facilities to the court-going Muslim public to perform their compulsory prayers (*namaj*) during court hours in district and subdivisional headquarters and other places in accordance with local necessity and demand)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 12,97,900 under the head '41—Civil Works—Reserved and Transferred—Establishment' be reduced by Rs. 5 [to draw attention to the necessity for sanction of a plot of land on the Chittagong Court Hill (Fairy Hill) for a prayer house at the north-east corner of the court building or at any other suitable place]."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 35,000 under the head '41—Civil Works—Road Development Fund Works—Improvement to the Grand Trunk Road, etc.' be reduced by Rs. 100 (to discuss the wretched condition of the Grand Trunk Road within the town of Howrah and near the approaches of the Bally bridge)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,00,000 under the head '41—Civil Works' be reduced by Re. 1 (to draw the attention of Government to the fact that the money allotted on the recommendation of the Provincial Road Board for the Aracan Road in Chittagong be applied to the following feeder motor roads from the nearest railway station on the Chittagong-Aracan Railway Line:—

(*a*) Kalipur-Dhala Road in police-stations Satkahia and Banskhali.

(*b*) Anwara Road leading to Patia.

(*c*) Harbang-Barabakia Road in Chakaria police-station.

(*d*) Ramoo Road leading to Cox's Bazar.

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 14,41,000 under the head '41—Civil Works (Reserved and Transferred)' be reduced by Re. 1 (to press that the money of the Provincial Road Board that has been budgeted last year and this year should be spent at once)."

Babu SUK LAL NAG: "That the demand of Rs. 50,000 under the head '41—Civil Works—Construction of a combined residence for the Settlement Officer and Assistant Settlement Officer at Rangpur' be reduced by Rs. 40,000."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 72,75,000 under the head '41—Civil Works' be reduced by Rs. 67,28,100."

Khan Bahadur MUHAMMAD ABDUL MOMIN: "That the demand of Rs. 72,75,000 under the head '41—Civil Works' be reduced by Rs. 1,78,500."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 72,75,000 under the head '41—Civil Works' be reduced by Rs. 1,000 (to point out the bad conditions of the Howrah Civil and Criminal Courts with their Bar Libraries and compounds)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 72,75,000 under the head '41—Civil Works' be reduced by Re. 1 (prayer-room for Moslems in the Calcutta High Court)."

43.—Famine Relief.

The following motion was put and agreed to:—

"That a sum of Rs. 1,30,000 be granted for expenditure under the head '43—Famine Relief'."

The following motions failed owing to the expiry of the time-limit:—

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 1,30,000 under the head '43—Famine Relief' be reduced by Rs. 500 (inadequacy of grant)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 1,30,000 under the head '43—Famine Relief' be reduced by Rs. 100 (to draw attention to the distress of the famine-stricken people in Tangail, Sirajganj and Bogra and insufficiency of measures taken by Government)."

Mr. ANANDA MOHAN PODDAR: "That the demand of Rs. 1,30,000 under the head '43—Famine Relief' be reduced by Rs. 10 (inadequate provision for the present distress all over Bengal)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,30,000 under the head '43—Famine Relief' be reduced by Re. 1 (insufficiency to cope with the present crisis in Bengal)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 1,30,000 under the head '43—Famine Relief' be reduced by Re. 1 (to criticise the policy)."

45.—Superannuation allowances and pensions, 45A.—Commutation of pensions financed from ordinary revenue and 60B.—Commuted value of pensions not charged to revenue.

The following motion was put and agreed to:—

"That a sum of Rs. 52,08,000 be granted for expenditure under the heads '45—Superannuation allowances and pensions,' '45A—Commutation of pensions financed from ordinary revenue' and '60B—Commuted value of pensions not charged to revenue'."

The following motions failed owing to the expiry of the time-limit:—

Mr. RAZAUR RAHMAN KHAN: "That the demand of Rs. 46,08,000 under the head '45—Superannuation allowances and pensions' be reduced by Rs. 100 (to discuss the desirability of reducing the pension to all Indian officers from whatever post or service they may have retired to the ordinary maximum admissible, *viz.*, Rs. 6,000 a year)."

Mr. RAZAUR RAHMAN KHAN: "That the demand of Rs. 46,08,000 under the head '45—Superannuation allowances and pensions' be reduced by Re. 1 (to discuss the desirability of imposing a cut on all pensions similar to the cut in salary)."

46—Stationery and Printing.

The following motion was put and agreed to:—

"That a sum of Rs. 20,09,000 be granted for expenditure under the head '46—Stationery and Printing'."

The following motions failed owing to the expiry of the time-limit:—

Mr. K. C. RAY CHAUDHURI, Haji SADI AHMED CHOWDHURY, Maulvi HASSAN ALI, Maulvi SYED JALALUDDIN HASHEMY, Maulvi SYED MAJID BAKSH and Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 26,600 under the head '46A—Stationery and Printing—Bengal Government Press—Officers' be reduced by Re. 1 (to draw attention to the desirability of abolishing the posts of two Deputy Superintendents in the Bengal Government Press)."

Mr. K. C. RAY CHAUDHURI, Maulvi HASSAN ALI, Haji BADI AHMED CHOWDHURY, Maulvi SYED MAJID BAKSH, Maulvi SYED JALALUDDIN HASHEMY and Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 6,50,500 under the head '46A— Stationery and Printing—Bengal Government Press' be reduced by Re. 1 (to draw attention to the fact of mismanagement and huge waste of public money by the authorities of the Bengal Government Press)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 10,30,000 under the head '46A—Government Presses' be reduced by Rs. 500 (Extravagance)."

Maulvi HASSAN ALI, Haji BADI AHMED CHOWDHURY, Mr. K. C. RAY CHAUDHURI, Maulvi SYED MAJID BAKSH, Maulvi SYED JALALUDDIN HASHEMY and Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 11,000 under the head '46—Stationery and Printing—Government Presses—Private Secretary's Press' be reduced by Re. 1 (to draw attention to the desirability of abolishing the Private Secretary's Press)."

Mr. K. C. RAY CHAUDHURI, Haji BADI AHMED CHOWDHURY, Maulvi SYED MAJID BAKSH, Maulvi SYED JALALUDDIN HASHEMY and Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 36,000 under the head '46—Stationery and Printing—Darjeeling Branch Press' be reduced by Re. 1 (to discuss the desirability of abolishing the Bengal Government Branch Press, Darjeeling)."

Haji BADI AHMED CHOWDHURY, Maulvi SYED JALALUDDIN HASHEMY, Maulvi SYED MAJID BAKSH and Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 3,32,500 under the head '46—Stationery and Printing—Press and Forms Department' be reduced by Re. 1 (to draw attention to certain incidents in connection with the misappropriation of public money in the Jail Press)."

Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 3,32,500 under the head '46—Stationery and Printing—Press and Forms Department' be reduced by Re. 1 (to draw attention to the fact that a petty clerk was convicted and the Manager was promoted in the Jail Press)."

Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 20,09,000 under the head '46—Stationery and Printing' be reduced by Rs. 11,00,000."

Maulvi SYED JALALUDDIN HASHEMY, Maulvi SYED MAJID BAKSH, Dr. NARESH CHANDRA SEN GUPTA, Haji BADI AHMED CHOWDHURY, Mr. K. C. RAY CHAUDHURI and Maulvi HASSAN ALI: "That the demand of Rs. 20,09,000 under the head '46—Stationery and Printing' be reduced by Re. 1 (desirability of stopping the allowances allowed to the confidential section, Bengal Government Press, Alipore)."

Maulvi SYED MAJID BAKSH, Maulvi SYED JALALUDDIN HASHEMY, Dr. NARESH CHANDRA SEN GUPTA, Maulvi HASSAN ALI, Mr. K. C. RAY CHAUDHURI and Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 20,09,000 under the head '46—Stationery and Printing' be reduced by Re. 1 (to draw attention to the amalgamation of the Jail Press with the Bengal Government Press, Alipore)."

47—Miscellaneous.

The following motion was put and agreed to:—

"That a sum of Rs. 11,27,000 be granted for expenditure under the head '47—Miscellaneous'."

The following motions failed owing to the expiry of the time-limit:—

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 7,820 under the head '47B—Charges on account of European vagrants' be reduced by Rs. 500 (general policy with special reference to treatment towards Indian vagrants, etc.)."

Maulvi SYED JALALUDDIN HASHEMY and Maulvi HASSAN ALI: "That the demand of Rs. 9,30,000 under the head '47—Miscellaneous and unforeseen charges' be reduced by Rs. 500 (general policy involved in these charges)."

Mr. SHANTI SHEKHARESWAR RAY: "That the demand of Rs. 9,30,000 under the head '47—Miscellaneous and unforeseen charges' be reduced by Rs. 100 (to raise a discussion about the detenus with particular reference to the unjustifiable firing at the Hijli Detention Camp on the 16th September, 1931, and press for the punishment of the Government servants concerned and also press for the payment of compensation to aggrieved persons)."

Mr. C. C. COOPER: "That the demand of Rs. 9,00,000 under the head '47—Miscellaneous—Miscellaneous and unforeseen charges' be reduced by Rs. 100 (in order to urge the need for economy in expenditure under this head)."

Expenditure in England.

The following motion was put and agreed to:—

"That a sum of Rs. 6,16,000 be granted for expenditure under the head 'Expenditure in England'."

Loans and Advances.

The following motion was put and agreed to:—

"That a sum of Rs. 10,35,000 be granted for expenditure under the head 'Loans and Advances'."

The following motions failed owing to the expiry of the time-limit:—

Maulvi ABDUL HAKIM: "That the demand of Rs. 10,35,000 under the head 'Loans and Advances by Provincial Governments' be reduced by Re. 1 (to discuss the effects of inadequate provision)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 10,35,000 under the head 'Loans and Advances by Provincial Governments' be reduced by Re. 1 (to urge the necessity of stopping the realisation of agricultural loans advanced to cultivators till the next paddy season in view of their economic distress still prevailing)."

GOVERNMENT BILLS.

The Bengal Muhammadan Marriages and Divorces Registration (Amendment) Bill, 1932.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I beg to present the Report of the Select Committee on the Bengal Muhammadan Marriages and Divorces Registration (Amendment) Bill, 1932.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I beg to move that the said Bill, as reported by the Select Committee, be taken into consideration.

The motion was put and agreed to.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I beg to move that the said Bill be passed.

The motion that the Bengal Muhammadan Marriages and Divorces Registration (Amendment) Bill, 1932, be passed was then put and agreed to.

The Bengal Primary Education (Amendment) Bill, 1932.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I beg to present the Report of the Select Committee on the Bengal Primary Education (Amendment) Bill, 1932.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I also beg to move that the said Bill, as reported by the Select Committee, be taken into consideration.

I find, Sir, that many amendments have been proposed in connection with this Bill. I hope that they will not be moved because this question was discussed very thoroughly in the Select Committee and with the exception of one dissentient note by Mr. S. M. Bose, their report is unanimous.

I therefore move that the Bill be taken into consideration.

Maulvi ABUL KASEM: I rise to oppose the motion for considering the report of the Select Committee on the Primary Education (Amendment) Bill. My grounds are simply this—that this House and the people of Bengal are being treated by Government as so many children. The Bengal Primary Education Act was passed more than a year ago, but no action has yet been taken for its enforcement. On the other hand, the Hon'ble Minister has briefly stated in reply to a question put to him that on account of the economic distress and financial difficulties the putting into operation of the Act has been postponed *sine die*. He said that when times are better and funds are available, the Act will be put into operation. But God only knows when that time will come.

The Primary Education Bill was passed after a good deal of discussion and in response to a very urgent popular demand. The Hon'ble Minister will bear me out when I say that before discussing the Bill he went over several districts and subdivisions of Bengal and held public meetings where large number of persons were present, and they were unanimous in their demand not only for including the Act into the Statute Book but for bringing it into operation without delay; and in response to that demand the Hon'ble Minister decided to bring the Act up before the Legislature. In fact, his persistence in response to public

demand caused the resignation of one of his colleagues. But all the same the Act which has been passed is no better than mere waste paper, because the operation of the Act has been suspended.

I think the consideration of this Bill may be postponed till such time as he thinks he will be able to bring it into operation. What is the good—what is the advantage, of having a Bill—an Industrial or Primary Education Bill—when Government knows that it is not going to put it into operation? Is it simply to satisfy the people and to show the people that it has done so much—that legislation is complete and that the Bill will be put into operation as soon as the Government is financially better off? But I can assure the Hon'ble Minister that if the poor cultivators and the poor people of Bengal are definitely told that the introduction of this Act means the imposition of fresh taxation, I think they will be prepared to pay tax for it if they know that it will bring free and compulsory education to them. They want education. Many of my friends who are members of the Moslem Education Advisory Committee will bear me out when I say that when the Committee visited several towns they received various public messages: at that time this question—the question whether it was advisable to put the Act into operation in these days of economic distress and face fresh taxation—was put plainly and bluntly before the people and they were all unanimous in their demand that the Act should be put into operation at once. In spite of this fact, Government do not think it fit to put it into operation. I think, Sir, it is no use amending the Act, making improvements and changes in it, when the Act itself is not in force. Government has money to spend on first grade colleges, which is so much money misspent and wasted, as was rightly said by my distinguished friend Mr. Syamaprosad Mookerjee; and if his advice is taken, a large amount of money will be available for spending on free primary education. Sir, the people are willing—not only willing but they are anxious—to pay tax for this purpose, and I think it is the duty of Government to put the Act into operation at once. Therefore I object to the consideration of this Bill at the present stage, and I suggest that its consideration be postponed till such time as the Act can be put into operation.

5-15 p.m.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, it will be remembered that I received a good deal of sympathy and support when I made my tour throughout Bengal and put the question of the Primary Education Act before the public. Mr. Abul Kasem accompanied me on these tours and helped me a great deal; but I must say that the speech which has just been made by Mr. Abul Kasem is not at all relevant. I dealt

with this question in my opening speech when I asked for the education grant. I pointed out the difficulties that prevented us from enforcing the Primary Education Act. Mr. Abul Kasem has complained that we are not doing anything to enforce the Act; but he has not met any one of the points raised in my opening speech on this subject. Although he has claimed that the people are willing to pay the education cess, yet we know as a matter of fact that the road cess has not been paid and that the income of every district board is reduced, and the *zamindars* have not been able to collect their rents. In these circumstances it is quite obvious that this province cannot at present bear the additional taxation which it would be necessary to enforce if the Act is brought into operation. (Hear, hear.) It is not a question of saving a few lakhs of rupees by deprovincialising colleges, this will not help us in enforcing the Act as the latter would require a much larger sum—a crore and 30 lakhs—and that can only be met by the imposition of cess, and I claim that no one in this province can at present advise us to insist on the education cess being imposed in the present state of the country. Therefore, Sir, Government have not neglected their duty, they realise the difficulty and they are tryiug to see that the Act does not become a dead letter; and it is for that purpose that Government have appealed to the district boards to come forward and help Government to enforce certain clauses of the Act so that it may remain in operation and it cannot be said that the Act has become a dead letter. I would, therefore, ask Mr. Abul Kasem and his friends to use their influence with the district boards and get them to respond to the appeal that has been made and by doing that they will be doing far more for primary education than asking the Government to do the impossible. Then, Sir, he has based his whole claim for postponement on the ground that as the Rural Primary Education Act has not yet been enforced it is no use going on with the present Bill. The Rural Primary Education Act cannot be enforced for the reasons which I have already stated. The present Bill has been introduced primarily because one of the municipalities felt the necessity of it. There is no question of money involved. If the Act is passed Government will not have to find any extra money. All that is required is to enable the Municipality of Chittagong, which has got a scheme complete and ready to enforce compulsion in Chittagong. Further, if any other municipality want to enforce compulsion after having provided facilities for the primary education of girls and ask Government for the extension of clause 2, Government will be able to comply with their request. I hope, therefore, the House will not accept Mr. Abul Kasem's objection.

Rai KESHAB CHANDRA BANERJI Bahadur: Sir, I fully support the motion of the Hon'ble Minister and I regret to have to join issue with Maulvi Abul Kasem. Maulvi Abul Kasem has said that this

important legislation should be deferred until the Bengal Primary Education Act is put into operation. I do not know whether Mr. Kasem has taken a plebiscite to ascertain the opinion of the agriculturists and the landholding community who are to be mainly affected by the provisions of the Primary Education Act of 1930. It is true that there is a real demand for primary education in this province but certainly the people did not want further taxation. Now that the measure has been placed on the Statute Book, I do not think that we can reasonably put forward the argument that this legislation should be delayed further simply because the Primary Education Act has not been put into operation. Speaking at any rate on behalf of the district boards in Bengal, to which reference has been made by the Hon'ble Minister, I can say that it is very difficult for them to comply with the suggestions of Government regarding the operation of the Primary Education Act, nor is it possible for the landholding classes and the cultivators to submit to any further taxation in this time of dire economic distress which is prevailing in the country. With these few words, I support the motion of the Hon'ble Minister that the Bill be taken into consideration.

The motion that the Bengal Primary Education (Amendment) Bill, 1932, be taken into consideration was then put and agreed to.

Clause 2.

Mr. PRESIDENT: The question is that clause 2 stand part of the Bill.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I beg to move that in clause 2 in proposed section 17A, line 4, for the word "six" the word "seven" be substituted.

Sir, before I state my personal experience I will invite the opinion of experts in education of this House, I mean Mr. Wordsworth, Dr. Sen Gupta and Mr. Jitendralal Bannerjee as to whether it is desirable for the Government to force children, especially girls of the tender age of 6, to go to school. I think it will be injurious to them if girls of 6 years are forced to go to school. My personal experience in this matter is that some girls of my own village were forced to go to school before they completed the age of 6. It is also very difficult for guardians to induce girls or even boys to go to school before he or she completes the age of 7. I had an informal talk with the Hon'ble Minister and I gathered that he was prepared to accept my amendment, and I hope that he will accept it.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, I am sorry if I gave the mover the impression that I would accept this amendment.

I think I told him that I would consider the question. The trouble is that I have not got the authority of Government to accept the amendment, and I do not think it necessary to incorporate this amendment in the Bill, because the matter was fully gone into in the Select Committee. But apart from this, the question is that in this very Act, which we are amending now, the age of boys is 6 to 10. Therefore we would like the girls' age to be the same. If, however, later on we find that the age is not suitable, it will be possible to change the age in the case of both boys and girls. It will be difficult to justify at the present moment any differentiation between the age of boys and girls, and I would therefore request the mover not to press his amendment, because if the age of the girls is raised to eleven then the age of the boys should also be raised and another Act will have to be introduced whereas after a trial if it is found necessary to make a change then the age of both boys and girls can be changed by one Act. In view of this explanation, I hope the mover will withdraw the amendment.

The motion of Maulvi Syed Jalaluddin Hashemy was then put and lost.

The following motion was called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY to move that in clause 2 in proposed section 17A, line 4, for the word "ten" the word "twelve" be substituted.

Mr. S. M. BOSE: Sir, I beg to move that in clause 2, in the proposed section 17A, line 4, for the word "ten" the word "eleven" be substituted.

Sir, my object is to bring this Act in accord with the Act which was passed in 1930, *viz.*, the Bengal Rural Primary Education Act. In that Act, section 2(*3*), the age is "six" and not more than "eleven." It is true that in this Act, IV of 1919, passed so many years back the age is 6 to 10. My object is to place the Act of 1919 in accord with Bengal Act VII of 1930, and I want that the age should be as in the Act of 1930, *viz.*, 6 and not more than 11. Of course, it is true that as regards boys coming under Act IV of 1919, the age remains 6 to 10; that, I think, is an anomaly but that cannot be removed in this Amendment Bill. Further, Sir, we know that under the Sarda Act the age of marriage of girls has been raised to 14, and our object should be to induce girls to be educated up to a higher age. Therefore, my object is intended to lead girls to stick to the schools not till they are 10 but for one year longer.

The Hon'ble KHWAJA NAZIMUDDIN: Sir, I am afraid the reason which I gave for opposing Mr. Hashemy's amendment stands

good in this case. First of all if we increase the age of girls to 11 it would be anomalous if we do not increase the age of boys also. Then, Sir, Mr. S. M. Bose has said that under the Rural Primary Education Act a child means one who is not less than six and not more than eleven both in the case of boy or girl. But the Act has given Government the right to prescribe any other age. So it is quite within the competence of Government to prescribe what the age should be. In order to preserve uniformity we have found it necessary to fix the same age for both boys and girls. The most important point which I would request the mover to consider is that making the education of girls compulsory in municipal areas is an experiment. I submit that the question of *purdah* in the towns is quite different from that in rural areas as in the village the *purdah* is not so much insisted upon, but in the municipal areas we know that it is more strict. Therefore it may be that parents in municipal areas will be quite unwilling to send girls above the age of ten to schools, and that is the difficulty we find in increasing the age to 11. I may also tell the House that when the present Bill was introduced in this Council, some doubts were expressed as to whether compulsion should be used in the case of Moslem girls.

5-30 p.m.

Therefore I submit that at the present time it is not possible to increase the age from 10 to 11. To mention the Sarda Act in this connection is irrelevant. By the operation of that Act a girl cannot get married early and will have to go to school up to the age of 14; this motion would like Primary Education to be made compulsory between the ages of 6 and 11. Ordinarily a girl joining a primary school at the age of six will be in the top class of the primary school at the age of ten and after that if she wants to continue her studies she will have to go to a middle English or high school; therefore, the change of age from 10 to 11 on account of the operation of Sarda Act has no force behind it. Therefore, I hope the member will not press the amendment, as in this country we must move slowly.

The motion of Mr. S. M. Bose was then put and lost.

MUNINDRA DEB RAI MAHASAI: I beg to move that in clause 2, the last proviso to proposed section 17A be omitted.

The proviso runs thus "provided also that in the case of an application to introduce compulsory primary education for girls, the Local Government may, if it thinks fit, refuse the permission referred to in sub-section (2) of section 6".

As regards this refusal, the Hon'ble Minister may not know the difficulties which the Commissioners have to undergo in persuading all

the other Commissioners to accept the principle of compulsory primary education for girls. This section seeks to empower the Local Government, at its discretion, if it thinks fit, to refuse permission to introduce primary education for girls. This will hamper the cause of female education in urban areas. This clause, it is said, is necessary to provide for the case of opposition to women's education by the orthodox community. In the Bengal Primary Education Act for boys no such discretion has been given to Government; so in the case of girls there should not be any discretion on this point. So I hope that this provision to leave discretion to the Local Government should be deleted, as in the case of Primary Education Act for boys.

With these words, I commend my motion to the acceptance of the House.

Mr. S. M. BOSE: I rise to accord my support to this amendment. Under section 6 of Act IV of 1919, the municipality after it has made arrangements satisfactory to Government for providing voluntary primary education can apply for Government's sanction to introduce compulsory primary education, and the local Government, under section 6 of sub-section (*2*), if it be satisfied that the municipality are able to meet their share of the expenditure, shall give them the sanction required. There is no option left in this matter. But in this amending clause it is sought to give them an option in the matter which they have not in the case of boys. I do not see why any distinction at all should be drawn in the case of compulsory primary education for boys and that for girls. It is said that this is necessary to provide for the case of opposition to women's education by the orthodox. Now, firstly, this Bill is to be introduced in towns where people are far more advanced than in rural areas; secondly, the Local Self-Government Act has given certain functions to the municipality, if the Commissioners in charge of the municipalities are satisfied after inquiry, that there should be compulsory education for girls—and I take it that they are much better able to know than the local Government—then I find it difficult to understand why the Government should have the power to say "No". Here we are dealing every day with the extension of the powers of local self-government. If those entrusted with the powers of local self-government do feel that they ought to introduce compulsory education for boys and girls, and if they are able to meet the money, and have satisfied all the requirements laid down, then I can see no reason why the Government should be able to refuse permission. Further, as regards opposition from the orthodox people, I have already said that in towns there is, I think, a great deal of advance in public opinion, and if there be a few orthodox people who do not want to send their girls to school, they can easily get out of the obligation if they are able to make their own arrangements for educating these orthodox girls, and the Act has made specific exemptions in

these cases. Further, it may be urged, that the matter ought to be left to the option of Government, and they are not likely to say "no"; but I do not want to give them any option, or leave any loophole for artificial agitation by those who are said to be orthodox, and I do not want that Government should be in any way embarrassed. I would, therefore, request the Hon'ble Minister not to be afraid of the orthodox, not to be afraid to establish equality between boys and girls, not to fight shy of public opinion, which I say emphatically, does demand compulsory education for boys and girls. Why should we leave any loophole in the Act; why invite the orthodox to raise its hydrahead? Is it not a fact that in Bengal, almost all are in favour of compulsory education for all children, boys and girls? It is really difficult to understand why the Government of Bengal is opposing me. It is very widely believed that they are against women. I do not know how far this is true. It is widely believed that they hold certain views not in accord with modern opinion. For the good name of Bengal I trust that is not so. I trust, at any rate, that our Ministers who are young men, are not so out of date, and so old, and so much out of touch with our modern opinion as to oppose the claims of women. But, Sir, in any case, what I am asking for is not high politics. It does not involve any large question. We want our small children, boys and girls, to be educated; we want to do away with the option. The interests of the State demand that every child, irrespective of caste, creed or sex, should receive adequate education. Why then should the Government of Bengal be backward, backward I say and seek to take away with one hand what they are seeking to give with the other?

I hope, therefore, that the Hon'ble Minister will accept our amendment.

Dr. NARESH CHANDRA SEN GUPTA: I support this amendment, and I hope that the Hon'ble Minister will see his way to accept it. From the answers to the previous motions, I gather that the Minister is afraid of being stampeded into taking any action, and therefore wants to have a spoke in hand to drive into the wheel if things are going too fast. If that is what is in his mind, I would remind him that there are a good many brakes already on the wheel and there is no risk of its going too fast. All these years the Act has been in operation, and up till now, the only application that has been received has been from one municipality. That being so, there is no real apprehension of being stampeded in this connection. Having regard to the large number of obstacles that are already there, and the numerous difficulties to be faced before any municipality can be induced to take action under this Act, I do not think this extra precaution is at all necessary.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want to assure Dr. Naresh Chandra Sen Gupta that I have no fear of being stampeded

into anything. I know full well what the municipalities are doing. So far only one municipality has been able to provide the facilities for compulsory primary education for girls. There is no likelihood in the near future of many municipalities coming forward and stampeding the Government Minister.

If this motion is accepted, I am afraid the members will give up a privilege which they will have under this Act. In future power will not be in the hands of Government, because after all in the near future Ministers are going to be responsible to the legislature, and no Minister would dare to oppose or reject an application from any municipality, if the members of the Legislative Council are in favour of the municipality. So this is absolutely a misapprehension. The power is not in the hands of the Government, but in the hands of the legislature, and if you give this up, you are giving up something which you may need later on. And I submit that the legislature should try to keep as much power as it can in their hands, instead of giving it up in this manner. Therefore, I hope and trust that the members of this House will not accept the amendment, and the mover will withdraw it.

5-45 p.m.

The motion that in clause 2, the last proviso to proposed section 17A be omitted was then put and a division taken with the following:—

AYES.

Ali, Maulvi Hassan.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chatterjee, Mr. B. C.
Chaudhuri, Babu Kisheri Mohan.
Choudhury, Maulvi Rural Absar.
Fazlullah, Maulvi Muhammad.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Maiti, Mr. R.
Mittra, Babu Sarat Chandra.
Rai Mahasai, Manindra Deb.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hoseni.
Roy, Babu Satyendra Nath.
Sen Gupta, Dr. Naresh Chandra.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Barma, Rai Sahib Panchanan.
Bartley, Mr. C.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bottomley, Mr. J. M.
Burai, Babu Gokul Chand.
Chaudhuri, Khan Bahadur Maulvi Ahmuzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Haji Badi Ahmed.
Choudhury, Maulvi Abdul Ghani.
Cohen, Mr. D. J.
Coppinger, Major-General W. Y.
Das, Rai Bahadur Satyendra Kumar.
Eusufji, Maulvi Nur Rahman Khan.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Gangali, Rai Bahadur Sushil Kumar.
Ghose, the Hon'ble Sir B. B.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Babu Profulla Kumar.
Gurner, Mr. C. W.
Hossain, Maulvi Muhammad.
Hussain, Maulvi Latafat.
Kasem, Maulvi Abul.
Kerr, Mr. W. J.
Khan, Maulvi Amin-ur-Zaman.
Khan, Khan Sahib Maulvi Muazzam Ali.

Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Marr, the Hon'ble Mr. A.
Momin, Khan Bahadur Muhammad Abdul.
Mukherji, Rai Bahadur Satish Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Amulyadhan.
Ray, Babu Ragendra Narayan.
Rees, Mr. J.
Ray, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Sijay Prasad Singh.
Sahana, Babu Satya Kinkar.
Sarker, Rai Sahib Rebati Mohan.
Sen, Mr. B. R.
Thomas, Mr. M. P.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.
Wordsworth, Mr. W. C.
Worthington, Mr. R. H.

The Ayes being 20 and the Noes 62 the motion was lost.

Mr. PRESIDENT: The question is that clause 2 stand part of the Bill.

The motion was put and agreed to.

Clause 3.

Mr. PRESIDENT: The question is that clause 3 stand part of the Bill.

The motion was put and agreed to.

Clause 1.

Mr. PRESIDENT: The question is that clause 1 stand part of the Bill.

The motion was put and agreed to.

The Preamble.

Mr. PRESIDENT: The question is that the Preamble stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I beg to move that the Bengal Primary Education (Amendment) Bill, 1932, as settled in Council, be passed.

The motion was put and agreed to.

The Elephants Preservation (Bengal Amendment) Bill, 1932.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Sir, I beg to introduce a Bill to amend the Elephants Preservation Act, 1879, in its application to Bengal.

[The Secretary then read the short title of the Bill.]

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I beg to move that the Bill be taken into consideration.

This is a very small Bill and hardly requires any explanation from me. All that is necessary to say has been stated in the Statement of Objects and Reasons which along with the Bill has been circulated to the members of this House. Members of this House are aware that there is in existence an Act for the preservation of elephants. This Bill merely fills a gap in the law. As everybody knows, there are provisions in the Elephants Preservation Act, 1879, forbidding the killing of wild elephants except in defence of person or property or under a license. It is obvious that when a rogue elephant becomes dangerous to life and property there would be little use in issuing licenses allowing particular person or persons to kill it. The practice in vogue in Bengal is that when a rogue elephant becomes dangerous to life and property that elephant is proclaimed and a reward is declared for its destruction. The purpose of this Bill is to make definite provision in the law to validate the existing practice.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon before the 30th June, 1932.

Sir, I move this motion as a matter of principle. Whenever a private Bill is introduced in this Council Government invariably insists that it should be circulated for public opinion. Even if a word is to be changed, it is sent out for public opinion. It is on that principle that I move my motion.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Sir, there is no meaning in circulating this Bill of two lines for public opinion. There is no question of policy involved. It is only meant to make the existing Act quite clear, that is all. Therefore, I oppose the motion.

The motion of Munindra Deb Rai Mahasai was then put and lost.

The following motion was called but not moved:—

MUNINDRA DEB RAI MAHASAI to move, by way of amendment, that the Bill be referred to a Select Committee consisting of—

the Hon'ble Member in charge of Forests,
Mr. H. C. V. Philpot,
Rai Satyendra Kumar Das Bahadur,
Maulvi Abdul Hakim,
Haji Badi Ahmed Chowdhury,
Rai Kamini Kumar Das Bahadur, M.B.E.,
Babu Kishori Mohan Chaudhuri,
Maulvi Syed Jalaluddin Hashemy,
Mr. P. Banerji,
Babu Satyendra Nath Roy,
Babu Suk Lal Nag, and
Munindra Deb Rai Mahasai,

with instruction to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I beg to move that the Elephants Preservation (Bengal Amendment) Bill, 1932, be passed.

The motion was put and agreed to.

The Bengal Rhinoceros Preservation Bill, 1932.

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I beg to introduce a Bill to provide for the preservation of wild rhinoceros.

[The Secretary then read the short title of the Bill.]

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I beg to move that the Bill be taken into consideration.

This Bill was published in the *Calcutta Gazette* on the 17th March, 1932. The object of the Bill has been set out in the Statement of Objects and Reasons which is in the hands of the members of this House. It is scarcely necessary to add that the object of the Bill is to provide for the preservation of the lives of the few rhinoceroses, that are still alive in Bengal. In reply to a question put in this House by Sir Lancelot Travers I said that Government will shortly take up the question of the preservation of the lives of these valuable animals. The present Bill is the result thereof.

As regards the illicit killing of these animals it has been found that the price paid for the horns is Rs. 11 to Rs. 13 per *tola*, that is almost half its weight in gold.

6 p.m.

As far as information is available there has been organised poaching in Bengal since the year 1928 and the number of rhinoceroses that is known to have been killed up to date is 14. If things go on at this rate, the result will be that scarcely any rhinoceros will be left. I may mention that there are five species of rhinoceroses—two African and three Asiatic. One of the former species is now altogether extinct. They have since taken special care and the second African species is still to be found. So far as the three Asiatic species are concerned one of them which was in evidence some 50 years ago is believed to be quite extinct now and unless we adopt some precautionary measures to protect the species that are now alive they will all be extinct soon. These animals are to be found in a small area of the jungles in Jalpaiguri extending over 48 sq. miles. In this area are to be

[illegible]nd about 40 or 50 of these animals. This is merely a guess as gathered from the report received from officers of the Forest Department. Since the price of rhino horns has gone up there has been organised poaching of these animals. The penalty prescribed in the Wild Birds and Animals Protection Act, 1912, for illicit killing of a rhinoceros is a fine of Rs. 50 for the first offence while for any subsequent conviction the penalty is imprisonment for a term which may extend to one month or a fine up to Rs. 100 only or both. The present Bill has been prepared on the lines of the Elephants' Preservation Act of 1879 in order to bring the rhinoceroses under similar protection. Under it for a first offence the penalty is to be imprisonment for a month or a fine or both so that the Act will be deterrent and will stop this illicit poaching and will help in preserving these rare animals. With these words I move my motion.

Mr. B. C. CHATTERJEE: I want to add to the classification of the rhinoceros mentioned by the Hon'ble Member. He has spoken of five species but I know of a sixth species which is neither wild nor tame but which is as much hide-bound as the different species of the rhinoceros and is sitting on the Government benches.

Dr. NARESH CHANDRA SEN GUPTA: I welcome this attempt on the part of Government to protect the rhinoceros from extinction. Sir, we are fast drifting to the idea that Government was absolutely stony-hearted, considering their failure to take any steps to keep alive the people of Bengal at the present moment, but it is some consolation to find that the Government has some soft place in their heart after all, at any rate for the rhinoceros. But I forget that the horn of the rhinoceros is of some economic value and is sold at a price. So I suppose the people of Bengal must develop some economic value for their corpses before they can get any kind of attention from Government.

Sir LANCELOT TRAVERS: I rise to support the motion that the Bill be taken into consideration. Sir, the object of the Bill is to prevent poaching. I come from a part of the country where the rhinoceros is still in existence but if poaching is not stopped through the agency of a Bill like this, the whole species will entirely disappear in one or two years. The present law is deficient in that it cannot prevent poaching and it is essential that the penalties should be sufficient to prevent it, otherwise the Bill will be useless.

I may say that this poaching began in the Malay States and other countries where the rhinoceros is almost exterminated altogether. I understand it has been exterminated in most parts of Burma. The reason for this poaching is that the Chinese crush the horn of this animal to powder and use it as a sort of medicine which helps them in their sexual relationship with women. I am sorry to have to refer

to this but I say that it is a great disgrace to this province that this poaching should be allowed to go on. I am quite sure that when members of the House understand why the rhinoceros is being killed in this illicit way they will do their best to stamp out poaching. This beast is in itself an interesting and curious animal; it does not harm anybody. There are several rhinoceroses in the forest near my estate where I live and during the last 20 years only once one walked into a paddy field and consumed not more than two seers of paddy! It does nobody any harm, so why should we allow the Chinese to make all this money by carrying on illicit poaching in this province? Sir, I hope the House will pass the Bill as it stands and put a stop to poaching at once.

MUNINDRA DEB RAI MAHASAI: In spite of all the qualifications attached to the rhinoceros by my friend, Sir Lancelot Travers, I do not know why the Government is so anxious for the preservation of the rhinoceros. The skins of the Government officials are too thick for any amount of vocal attacks and I do not know why the skin of the rhinoceros should be necessary for further protection.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting opinion thereon before the 30th June, 1932.

In moving my amendment I must at the outset congratulate the Hon'ble Member for bringing out such an important measure for the benefit of the people of the country as well as of the Government. Considering the importance of this measure I should like to suggest that opinions of experts on rhinoceroses and other people connected with them should be taken. With these words I commend my motion.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I rise to support the motion of my friend Maulvi Jalaluddin Hashemy. Like my friend Mr. B. C. Chatterjee I am not aware of the different species of rhinoceroses, having seen only one variety, at the Zoo. All the same in a matter like this it will perhaps be desirable to elicit public opinion. I do not know if the Hon'ble Member has any expert knowledge about the use or about the abuse of rhinoceroses or if he got expert advice on the matter but I think that in a matter of importance like this we should not rush into legislation without consulting public opinion. That is one reason. Besides I do not see any need for great hurry in passing this particular legislation during this session. If the rhinoceroses existed all these years without a legislation like this they might manage to live without a legislation of this kind for another six months. One point which I do not understand is poaching to which Sir Lancelot Travers has referred. The Hon'ble Member in charge of this particular branch has just mentioned that under the Wild Birds

and Animals Preservation Act poaching is punishable but he has given us no figures whether in the past poaching had been discovered to a large extent and punished. Except the fact that rhinoceroses which live in herds are not visible nowadays there are no data on which he has come forward to this House to show that in recent years the punishment according to the Wild Birds and Animals Protection Act has proved insufficient and has not been able to check poaching. It would be relevant for him to state before the House how many cases of illicit killing of rhinoceroses have come to the notice of Government and whether the existing Act has been ineffectual in preventing such illicit killing. Therefore I support the motion of my friend Maulvi Jalaluddin Hashemy.

Mr. NARENDRA KUMAR BASU: I would like to support the motion of my friend Maulvi Jalaluddin Hashemy, and my reasons for doing so are, if I may be permitted to say, a lawyer's reason. As has been pointed out by Khan Bahadur Momin this Bill has been drafted in a very great hurry, and though it was circulated to the members of this House for inviting amendments I find that a very important section has had no amendments tabled against it, I mean clause 5—and I believe that that clause will prove unworkable, in practice. Clause 5 runs as follows: In the event of any person killing, injuring or capturing a wild rhinoceros in defence of himself or of some other person, he shall within three days of such event report the fact in writing to the officer-in-charge of the nearest police-station or to the Forest Officer, etc. Suppose, Sir, a hunter goes and kills a rhinoceros, he may be an absolutely illiterate man, and how can he know of this law and how can you make it incumbent on him to report this act, etc. It is not as if he may but the words are "he shall." And if he does not do so, he has got to pay a fine of Rs. 500 under section 6. As I have said before, no amendment has been tabled against that clause with reference to this difficulty, and its discussion may not be permitted by you. But my submission is that it is only an indication of the hurry in which the Bill has been drafted, and as has been pointed out by my friend Mr. Momin there has not been assigned any reason why this Bill should be passed in such a hurry. I may say at once that I am in perfect sympathy with the object of the Bill and I do think that such Bill tending towards the preservation of the wild rhinoceros should be passed. But I am supporting the amendment of Mr. Hashemy for circulation and I am relying on the drafting of sections 5 and 6 to show that the Bill has been drafted in a great hurry and think that probably if it were circulated for opinion other defects in the Bill might be visible to people who have to deal with the rhinoceros and who have the privilege of coming into contact with this animal. I do not know much about the rhinoceros but the only thing I know about it is that Browning was once challenged to rhyme it and he rhymed it with "Eros."

6-15 p.m.

Babu JITENDRALAL BANNERJEE: I am sorry, Sir, that I have to differ from all the foregoing speakers and I have great pleasure in supporting the motion of the Hon'ble Member. My friends talk of obtaining expert opinion. Now, Sir, so far as the rhinoceros is concerned, what other, what better, what greater expert could we have than the Hon'ble Alhadj Sir Abdelkerim Ghuznavi? In all that appertains to elephants, the rhinoceros and thick-skinned creatures generally, the Hon'ble Member is supposed to be the foremost and supremest of experts.

Mr. PRESIDENT: Are you in quest of the seventh species of rhinoceros? (Laughter.) If you are, I am afraid your efforts may rebound upon you like a boomerang. (Renewed laughter.)

Babu JITENDRALAL BANNERJEE: Sir, I was paying my humble compliments to the Hon'ble Member. I rise to pay my tribute of respect and admiration for his varied, manifold and wonderful activities. As I contemplate the couple of useful measures that he has introduced, I am lost in admiration. Only the other day he was telling us how he went up as far as Egypt in chase of Sir William Wilcocks—hold there he fell prostrate upon the Aswan Dam——

Mr. PRESIDENT: Order order, there is no rhinoceros in Egypt. (Laughter.)

Mr. SHANTI SHEKHARESWAR RAY: Sir, I support the motion of my friend Syed Jalaluddin Hashemy for circulating the Bill for eliciting public opinion thereon. I had no idea that this Bill has so many interesting aspects. My friend Mr. Narendra Kumar Basu has dealt with the legal aspect of the question. I should like to deal with the practical aspect of the Bill. I would ask the Hon'ble Member whether he has brought forward this measure with a view to increase the funds of Government. Is it a taxation Bill? Well, we have heard that he has brought forward this measure in a humanitarian spirit, but it baffles our imagination why he has made provision for the issue of licenses. For whose benefit are these licenses intended? I think, Sir, in a measure like this, which is going to restrict the rights of the inhabitants of the areas concerned to kill this animal, they should at any rate be given an opportunity to express their opinion on it. This will enable us to get further knowledge about the different types of rhinoceros that can be found inside and outside the Council.

Mr. H. BIRKMYRE: Sir, I rise to oppose the motion for the circulation of the Bill. I would appeal to the House to provide for the protection of this interesting animal which, I suppose, is generally recognised as a survival of a by-gone age. These animals are being poached at the rate of 6 or 8 a month and as they are very slow to breed we will, if this state of affairs is allowed to go on, very soon have no rhinoceros left in Bengal at all. At present the rhinoceros is protected in Government reserved forests and Government sanctuaries. Therefore the object of this Bill, as I understand it, is to give protection to such of these animals as may be found in non-reserve forests. I appeal to this House to think for the future. All the other young countries of the Empire have realised the value to them of preserving their big game. In South Africa they have got many such Acts which are operating very satisfactorily. New Zealand is going ahead very fast regarding the preservation of big game, and it will be a shame to us in Bengal if we lag behind in this respect. I would like to ask the House before they turn down this Bill or even send it to a Select Committee, to consider that aspect of the case. I do not know if members of this Council have had the pleasure of big game shooting, I personally have had.

Maulvi SYED JALALUDDIN HASHEMY: I have also had such experience.

Mr. H. BIRKMYRE: Mr. Hashemy, I think, will bear me out that it is a wonderful sport. But it is better if it is done with a camera than with a rifle and there is no destruction of life.

I again appeal to the members to let this Bill go through and not sign the death warrant of these rare and interesting animals.

Maulvi ABUL KASEM: I also rise to oppose the motion of my friend Mr. Hashemy. I submit, Sir, that after the speech which we have heard of Sir Lancelot Travers, there is no doubt that the rhinoceros is in very great danger and no time should be lost in taking active and positive steps to see that it is not killed. If the Bill is circulated and postponed for consideration, I am afraid in the meantime there will be a great rush to the Jalpaiguri jungles, and although it will mean some income to the Eastern Bengal Railway, it will mean the loss of this useful and interesting animal, as Mr. Birkmyre has rightly observed. One thing I cannot understand is this. The Hon'ble Member has stated that a *tola* of rhinoceros horn costs something like Rs. 30 or Rs. 40. If that is so, how will a fine of Rs. 500 be a deterrent punishment; because in that case anybody will commit the offence and take the horn and make Rs. 5,000 easily and he will have no difficulty in paying a fine of Rs. 500. There are some provisions in the Bill which

I do not understand. But there is very great danger in the circulation of the Bill as I said before, and the Bill should be passed here and to-day: that is my submission.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Sir, I am afraid I cannot congratulate Khan Bahadur M. A. Momin and the other speakers who supported the motion for circulation on their speeches, nor on the frivolous and shallow merriment which they have displayed and therefore I am obliged to dilate further on the necessity of this Bill. I have already informed the House of the value which the horn of a rhinoceros fetches and I said that the value was something between Rs. 11 and Rs. 13 per *tola*. I also said that this animal was getting extinct. Already one species of the Asiatic rhinoceros which could be seen in the Terai has become extinct, and I further said that no more time should be wasted to get on with this measure in order to protect the rhinoceros and in order to prevent this animal from being completely extinct. I should like to cite the example of three wonderful species of birds which do not exist to-day. The Dodo which once flourished in Mauritius is extinct to-day and so also are the Auk and the Moa. Mr. Birkmyre was telling us a short while ago in his interesting remarks what progress New Zealand and other countries were making by means of their game laws in regard to the protection of the animals of those places. The extinction of such animals as the New Zealand Moa should be a lesson to all, and I think it is very necessary that we should do all that is possible to preserve such rare animals.

Then, Sir, as regards the provision of the amount of fine of Rs. 1,000 in clause 3 (*1*) and a fine of Rs. 500 in clause 6 for not reporting within the time prescribed about which Mr. Abul Kasem complained, I was myself wondering whether this punishment would be sufficiently deterrent and whether a more deterrent punishment should not be provided for. When the matter was under consideration it was felt that this fine together with the term of imprisonment provided in clause 3 (*1*) and (*2*) would suffice. The reason is that the penalty for the first offence of killing, injuring, or capturing or attempt at these acts may go up to one month's imprisonment or a fine of Rs. 1,000 or both, and for subsequent offences it may go up to 6 months' imprisonment or a fine of Rs. 2,000 or both, and having regard to these provisions of the Bill it was considered to be sufficiently deterrent.

My friend Mr. Narendra Kumar Basu, with his expert knowledge of law, made some remarks about the intention of the Bill so far as section 5 went. Clauses 5 and 6, my friend will see, are intended to be preventive. The object of clause 5 is that information about the killing of a rhinoceros should reach the authorities as soon as possible in order to secure that the horn is not taken away. Therefore the

provisions in clauses 5 and 6 are all right. Then clause 6 says that whoever without any reasonable excuse makes delay in reporting to the authorities will be punished with a fine extending to Rs. 500, and this punishment is considered sufficient.

I submit, Sir, that this is a matter which does not brook any further delay. It is a question whether we should preserve rhinoceros in this country or not. Delay would mean the total extinction of rhinoceros in this country at no distant date. We have already been told by Mr. Birkmyre how this animal is gradually becoming extinct, and we have received reports from our officers—the Commissioner of Rajshahi, and the Forest officers—that it is very necessary that this Bill should be passed and that at once, without any further waste of time.

I gather that the members of this House are anxious for the passing of the Bill but that they think it necessary to indulge in a bit of merriment. I am sure my friends have enjoyed the merriment that they were treated to by that inimitable Khan Bahadur A. Momin. References, however, have been made to several kinds of rhinoceros in this House—I do not know whether on this side of the House or on that side or whether on all sides of the House. I think I need not say anything further to stress the importance of passing this Bill, and Sir Lancelot Travers, Mr. Birkmyre and Mr. Abul Kasem have sufficiently demonstrated the importance of the Bill.

The motion of Maulvi Syed Jalaluddin Hashemy was then put and lost.

6-45 p.m.

MUNINDRA DEB RAI MAHASAI: With your permission, Sir, I would like to add the name of Rai Keshab Chandra Banerji Bahadur to the list of members to the Select Committee.

Mr. PRESIDENT: I am told that you have not received the consent of more than five members. But you say in your motion that the number of members whose presence shall be necessary to constitute a quorum shall be five. How can you move such a motion in such circumstance?

MUNINDRA DEB RAI MAHASAI: Sir, I have received the consent of Rai Satyendra Kumar Das Bahadur, Maulvi Abdul Hakim, Mr. P. Banerji, Babu Satyendra Nath Roy, Babu Suk Lal Nag, and myself, and I want to add another name, *viz.*, Rai Keshab Chandra Banerji Bahadur.

Mr. PRESIDENT: Very well, you can move your amendment.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move, by way of amendment, that the Bill be referred to a Select Committee consisting of—

the Hon'ble Member in charge of Forests,
Mr. H. C. V. Philpot,
Rai Satyendra Kumar Das Bahadur,
Maulvi Abdul Hakim,
Mr. P. Banerji,
Babu Satyendra Nath Roy,
Babu Suk Lal Nag,
Rai Bahadur Keshab Chandra Banerji, and
Munindra Deb Rai Mahasai,

with instruction to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I had no desire really at the start to support any dilatory motion with regard to this Bill, but after the discussion which has taken place I find that the measure requires further consideration. In the first place, nothing has been shown which necessitates the passing of this Bill at one sitting. There is no reason why it should not wait for a few months more to be considered by a Select Committee. Well, looking at the Bill, I find myself in great doubt as to why the Bill has been introduced. Is it introduced in the interests of the rhinoceroses themselves or in the interests of the big game-hunters? Is it introduced in the interests of science for the protection of rarest animals? But there are other interests to consider also. For example, the poor persons who may suffer by reason of the depredations of the rhinoceros. We have been told by Sir Lancelot Travers that the rhino is an innocent animal but surely the rhinos have got a few human lives to their credit. (A VOICE: You cannot say that.) It may be so and I have not much authority to say this except what I have read in books and seen at the cinema—the film of "Trader Horn" for instance. But, apart from that, these animals may cause depredations in other ways, without taking human lives, and that is the thing which we have got to consider. We have got to consider how far by protecting the rhinos the dwellers in the forests and its neighbourhood might be affected by the presence of these animals in those localities. We have no material upon which we can

judge that beyond the fact that we are faced with an apprehension of the extinction of rhinos. I can say by the way that I am not frightened by that possibility. So many animals have become extinct and from what we know of rhinos there are other countries which will have these animals for some time to come. The question of their extinction may be important from the point of view of zoologists or from the point of view of men generally and I am not very particular about it. It may be that the big game-hunters may be very much perturbed over the matter of their extinction. But, considering the possibility of hurt which might come from the provisions of this Bill, I feel that the Bill ought to be considered by the Select Committee.

Maulvi SYED JALALUDDIN HASHEMY: Sir, in rising to support the motion of my friend, the Rai Mahasai, I would like to say only a few words. The reason of my supporting this motion is that I am not prepared to send a man to jail for six months and to fine him Rs. 2,000 for killing one wild animal. I am sure the members of this House who have experience of jungle life in Bengal will not agree to section 3 (*2*) at all. Sir, my hon'ble comrade, Mr. Birkmyre, has spoken much about the jungle life in Africa, South Africa and New Zealand. Can he cite a single instance of a civilised country where a person is punished with imprisonment for six months and fined Rs. 2,000 for killing a wild animal? It is for this reason that I want the Bill to be referred to the Select Committee, in order that that Committee may consider the penal provisions. I would like to say one word more to Mr. Birkmyre. He seems to be disappointed at the dearth of big games in Bengal. I can tell him, Sir, that instead of going on an expedition into the jungles or forests if he were to join the Imperial Police he would find games in the cities of Bengal in the shape of human beings. With these few words, I support the motion of the Rai Mahasai.

Mr. SHANTI SHEKHARESWAR RAY: May I just say one word? I want the Hon'ble Member to kindly explain why he has made a provision for granting license for hunting the animals when he fears their extinction.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Sir, the provision for granting a license is meant to provide for a contingency when a rhinoceros becomes rogue and it is necessary to destroy it or in case, for instance, when one is wanted for the Zoo.

As regards the motion itself, I may say at once that I would oppose any motion for referring the Bill to a Select Committee. There is nothing in the Bill at all that requires consideration by any Select Committee. The object of the Bill is not to preserve the rhinoceros for

any game-hunters, but it is just the other way, in fact, to prevent anybody from killing it. I may mention also that the rhinoceros in Bengal is not responsible for killing any human beings. The list which is annually published of persons killed by wild animals does not show that the rhinoceros has killed anybody at all, at any rate so far as I am aware. So this objection does not arise. The provision of the Bill is very simple. As regards the penalty of Rs. 2,000, I may say that it is meant to cover the value of the horn which fetches sometimes from Rs. 2,000 to Rs. 2,500, and in view of that fact the amount of penalty is not at all excessive.

Mr. PRESIDENT: I think it is worthwhile to first ascertain if the House is at all prepared to refer this Bill to a Select Committee. So, I better split up the motion into two parts and put the first part first, namely, that the Bill be referred to a Select Committee.

The motion that the Bill be referred to a Select Committee was put and a division taken with the following result :—

AYES.

Ali, Maulvi Hassan.
Bakeh, Maulvi Syed Majid.
Banerji, Mr. P.
Banerji, Rai Bahadur Keshab Chandra.
Basu, Mr. Narendra Kumar.
Choudhury, Maulvi Nural Absar.
Faziullah, Maulvi Muhammad.
Hakim, Maulvi Abdul.
Hashamy, Maulvi Syed Jalaluddin.
Momin, Khan Bahadur Muhammad Abdul.
Nag, Babu Suk Lal.
Rahman, Maulvi Azizur.
Rai Mahasai, Munindra Deb.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hoseni.
Roy, Babu Satyendra Nath.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Bai, Babu Lalit Kumar.
Bai, Mr. Sarat Chandra.
Bannerjee, Babu Jitendralal.
Barma, Rai Sahib Panchanan.
Bartley, Mr. C.
Basu, Babu Jatindra Nath.
Birkmyre, Mr. H.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Bottomley, Mr. J. M.
Burai, Babu Gokul Chand.
Chatterjee, Mr. B. C.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Choudhury, Hiji Badi Ahmed.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Eusufji, Maulvi Nur Rahman Khan.
Farequi, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Gangali, Rai Bahadur Susil Kumar.
Ghose, the Hon'ble Sir S. S.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Babu Profulla Kumar.
Gurner, Mr. C. W.
Hussain, Maulvi Latafat.
Kasem, Maulvi Abul.
Kerr, Mr. W. J.
Khan, Maulvi Amin-uz-Zaman.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Leesen, Mr. G. W.
Marr, the Hon'ble Mr. A.
Nandy, Maharaja Sris Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Ordish, Mr. J. E.
Ormond, Mr. E. C.

Philipot, Mr. H. C. V.
Pohlar, Mr. Ananda Mohan.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ross, Mr. J.
Roy, Babu Haribansa.
Roy, Mr. Saileswar Singh.
Ray, Mr. Sarat Kumar.
Ray, the Hon'ble Mr. Bijoy Prasad Singh.
Roy Choudhuri, Babu Hem Chandra
Sahana, Babu Satya Kinkar.
Sarker, Rai Sahib Rebati Mohan.
Sen, Mr. S. R.
Travers, Sir Lancelot.
Wilkinson, Mr. H. R.

The Ayes being 18 and the Noes 58, the motion was lost.

The motion that the Bill be taken into consideration was then put and agreed to.

Mr. PRESIDENT: The House has given such a hot chase after the rhinoceros that I better cry halt now. (Laughter.)

Adjournment.

The Council was then adjourned till 3 p.m. on Friday, the 1st April, 1932, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

The Council met in the Council Chamber in the Council House, Calcutta, on Friday, the 1st April, 1932, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir Manmatha Nath Ray Chaudhuri, kt., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 93 nominated and elected members.

Starred Questions

(to which oral answers were given).

Audit fees from the co-operative societies.

*194. **Mr. SARAT CHANDRA BAL:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state—

(*i*) the total amount realised up to the 30th September, 1931, as audit fees from the co-operative societies;

(*ii*) the total amount spent; and

(*iii*) the total surplus amount, if any, in the hands of the Government?

(*b*) Are the Government aware that there is a big surplus amount left after actual expenditure for audit purposes?

(*c*) Is it a fact that such audit fees are generally spent on the salaries of the Inspectors of Co-operative Societies?

(*d*) If the answer to (*c*) is in the affirmative, are the Government considering the desirability of refunding such surplus amount to co-operative societies in proportion to their respective contribution?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab K. G. M. Farequi, Khan Bahadur): (*a*) (*i*), (*ii*) and (*iii*) A statement giving the information asked for is laid on the library table. In the statement the expenditure on the audit staff as shown, does not take into account the cost of the staff employed on the audit of societies not more than eighteen

months old and anti-malarial societies since 1928-29, as such societies are exempted from payment of audit fees.

(*b*) The member is referred to the statement laid on the library table in reply to clause (*a*) of the question.

(*c*) No.

(*d*) The question does not arise.

Moslems in the Forest Department.

*195. **Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Revenue (Forests) Department be pleased to lay on the table a statement showing the present number of persons working as rangers, deputy rangers, foresters, guards and clerks in Bengal, who are—

(*i*) Muhammadans; and

(*ii*) Hindus?

(*b*) Are the Government considering the desirability of posting further appointment of persons of communities other than the Muhammadan community, in the Forest Department till the posts are filled up in proportion to the latter's demand?

(*c*) Is the Hon'ble Member aware that any number of suitable Muhammadan candidates for those posts are available in Chittagong and Cox's Bazar subdivision?

MEMBER in charge of REVENUE (FORESTS) DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): (*a*) A statement is laid on the library table.

(*b*) The question of securing proper representation of the Moslem community in the Forest Department has been engaging the attention of Government.

(*c*) There may be a number of suitable Muhammadan candidates available, but recruitment must depend on the number of vacancies.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state as to how many among the Hindus represent the depressed classes?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: It is not possible to give that information off-hand.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to make an inquiry into the matter?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: Yes.

Forest Engineering Service.

*196. **Rai SATYENDRA KUMAR DAS Bahadur:** (*a*) Will the Hon'ble Member in charge of the Revenue (Forests) Department be pleased to state—

(*i*) the number of forest engineers in Bengal;

(*ii*) the reasons for maintaining forest engineers; and

(*iii*) the number of divisions in charge of Provincial Service officers?

(*b*) Will the Hon'ble Member be pleased to state the number of Provincial Service officers promoted to the Imperial Service as recommended by the Lee Commission with reference to the assurance given by him on 19th March, 1931, during the budget discussion under the heads "8A and 52A—Forests"?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: (*a*) (*i*) One He is on leave without pay.

(*ii*) The main reason for the creation of the Forest Engineering Service was to introduce more efficient methods for the extraction and disposal of timber by mechanical means.

(*iii*) One.

(*b*) None have been promoted hitherto as there has been no vacancy

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether the reason for the creation of the post has been satisfied?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: The object has been fulfilled.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state if it is proposed to retain the post in future?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: The matter is under consideration.

Rai SATYENDRA KUMAR DAS Bahadur: Is the Hon'ble Member aware that there is no forest engineer in Assam?

Mr. PRESIDENT: You cannot put that question.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether he means by efficient method the economic method?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Certainly that, and other things.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether economy has been effected including that of the pay of the engineer?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Most decidedly.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Member be pleased to state whether the creation of the Forest Engineering Service has proved successful?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Yes.

Khasmahal tahsildars in Faridpur.

*197. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) the present number of permanent *khas mahal tahsildars* in the district of Faridpur:

(*ii*) how many of them are Muslims;

(*iii*) whether amongst these *tahsildars* there are persons, and if so, how many, who are above 55 years of age; and

(*iv*) whether the Government approve of the policy of retaining officers over 55 years of age on extension in these days of financial stringency?

(*b*) Does the Government intend to take any steps to increase the number of Muslim *tahsildars* in the Faridpur district?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) (*i*) Eleven.

(*ii*) None.

(*iii*) Two of them are over 55 years of age.

(*iv*) It depends on the merits of the particular case.

(*b*) Yes.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state why after 55 years of age these persons have been retained?

The Hon'ble Sir B. B. GHOSE: The answer is in (*iv*).

Khasmahal amins in Faridpur.

*198. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) the present number of permanent *khas mahal amins* in the district of Faridpur;

(*ii*) how many of them are Muslims;

(*iii*) whether amongst these *amins* there are persons, and, if so, how many who are above 55 years of age; and

(*iv*) whether the Government approve of the policy of retaining officers over 55 years of age on extension in these days of financial stringency?

(*b*) Does the Government intend to take any steps to increase the number of Muslim *amins* in the Faridpur district?

The Hon'ble Sir B. B. GHOSE: (*a*) (*i*) Two.

(*ii*) None.

(*iii*) One of them is over 55 years of age.

(*iv*) It depends on the merits of the particular case.

(*b*) The question of appointing a Muhammadan to the next vacancy will be considered.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state what he means by merit in this particular case?

The Hon'ble Sir B. B. GHOSE: Efficiency, of course.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Does not the Hon'ble Member consider that after 55 years of age a civil court *amin* ceases to be efficient?

Mr. PRESIDENT: That is a matter of opinion.

Hindu non-official visitor for the Hijli Special Jail.

***199. Mr. R. MAITI:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that there is no Hindu non-official visitor for the Hijli Special Jail?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons therefor?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) Yes.

(*b*) Through a misapprehension the Additional Special Jail at Hijli has been regarded as a sub-jail and under the rules for sub-jails, two gentlemen who happen to be non-Hindus were appointed non-official visitors. The Divisional Commissioner is being asked to treat the jail as a district jail for which three gentlemen visitors are prescribed and to appoint one Hindu non-official visitor and two lady visitors.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether he is aware that scarcity of drinking water still prevails in the Hijli Jail?

The Hon'ble Sir B. B. GHOSE: The question does not arise.

Babu JITENDRALAL BANNERJEE: Is it not a fact that an overwhelming majority of the inmates of the jails in Bengal is Hindus?

The Hon'ble Sir B. B. GHOSE: Yes.

Babu JITENDRALAL BANNERJEE: In view of that fact, how did it happen that only non-Hindu visitors of jails were appointed?

The Hon'ble Sir B. B. GHOSE: Probably the reason is that Hindu visitors were not available at Kharagpur.

Mr. R. MAITI: Will the Hon'ble Member be pleased to consider whether members of the Legislative Council have been appointed as non-official visitors of jails?

The Hon'ble Sir B. B. GHOSE: Under the rules, members of the Legislative Council are *ex-officio* visitors of jails in their constituencies.

(Cries of "no," "no".)

Mr. SHANTI SHEKHARESWAR RAY: Is it a fact that prisoners from different parts of the province are located in this jail?

The Hon'ble Sir B. B. GHOSE: That may be so.

Mr. SHANTI SHEKHARESWAR RAY: In view of that fact, will the Hon'ble Member consider the desirability of appointing a visitor even if he happens not to be a resident of Kharagpur?

The Hon'ble Sir B. B. GHOSE: The answer is there. A Hindu gentleman will be appointed.

Mr. B. C. CHATTERJEE: Will the Hon'ble Member consider the advisability of appointing a Hindu M.L.C. as a visitor of the jail?

The Hon'ble Sir B. B. GHOSE: If a Hindu M.L.C. comes forward, certainly he will be appointed.

Prospects of Legislative Department assistants.

*200. **Babu JITENDRALAL BANNERJEE:** (*a*) With reference to the answer given to Mr. A. F. Rahman's unstarred question No. 41 on the 11th February 1929, will the Hon'ble Member in charge of the Legislative Department be pleased to state whether it is a fact that one extra post each for the Public Works Department and the Department of Agriculture and Industries was sanctioned by Government with effect from 1st January, 1929?

(*b*) Will the Hon'ble Member be pleased to state when the posts in question were originally sanctioned?

(*c*) Will the Hon'ble Member be pleased to state why the additional selection grade post for the Legislative Department has not yet been given effect to during the last two years?

(*d*) Is it a fact that the question of revision of the prospects of the assistants in the Legislative Department has been pending sanction by the Government?

(*e*) If so, for how long?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir B. B. Ghose): (*a*) Yes.

(*b*) The posts were sanctioned in Finance Department memorandum No. 916-34-F., dated 31st January, 1929, with retrospective effect from 1st January, 1929.

(*c*) On grounds of financial stringency.

(*d*) and (*e*) Certain revisions including an additional lower division selection grade post were sanctioned in September, 1929, but have not been given effect to on grounds of financial stringency.

Case of Babu Dhires Chandra Chakrabarti.

*201. **Mr. SYAMAPROSAD MOOKERJEE:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether Babu Dhires Chandra Chakrabarti, Editor, *New Era*, a nationalist English weekly of Calcutta, was convicted by the Subdivisional Officer of Munshiganj and sentenced to two years' rigorous imprisonment on or about 25th January last?

(*b*) What was the offence with which he was charged and of which he was convicted?

(*c*) Is it a fact that he was being removed from the Munshiganj Sub-Jail to the Dacca Jail on or about 27th January in a handcuffed state?

(*d*) Is it a fact that while Dhires Babu was being taken along the road, a European police officer, who was in the *thana* by the roadside, rushed out and assaulted Dhires Babu with blows on the left eye and the temple?

(*e*) Is it a fact that Dhires Babu became unconscious as a result of such assault and the glasses of his spectacles were broken?

(*f*) If the answers to (*d*) and (*e*) are in the affirmative, will the Hon'ble Member be pleased to state the name and designation of the police officer and the reason for the cowardly assault on a handcuffed prisoner?

(*g*) Is the Government considering the desirability of inquiring into the above allegations and of taking such steps as may be deemed proper to avoid the recurrence of such incidents?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) An offence punishable under section 117, Indian Penal Code.

(*c*) Yes.

(*d*) Yes, one blow was struck, but there was a certain amount of provocation and the officer was totally unaware that Dhires Babu was handcuffed.

(*e*) His spectacles were broken, but he was not rendered unconscious.

(*f*) Government are not prepared to give this information.

(*g*) Yes, action is being taken, both in respect of this occurrence, and with a view to avoid the recurrence of such incidents which Government believe to be rare and of which they entirely disapprove.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether that officer is still in service?

The Hon'ble Mr. W. D. R. PRENTICE: Yes.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether he has been suspended pending an inquiry?

The Hon'ble Mr. W. D. R. PRENTICE: I am not prepared to add anything to my answer.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state whether it was possible for the officer to be unaware that Dhires Babu was handcuffed at the time?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, that is what is stated.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state what was the nature of the provocation?

The Hon'ble Mr. W. D. R. PRENTICE: There is no detail.

Mr. B. C. CHATTERJEE: In view of the latter portion of (*g*), will the Hon'ble Member please give us an assurance that he would take steps to punish this officer?

The Hon'ble Mr. W. D. R. PRENTICE: I have nothing to add to (*g*).

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state the source of his information that there was provocation?

The Hon'ble Mr. W. D. R. PRENTICE: The report was received from the District Magistrate.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether any statement was obtained from Dhires Babu in this connection?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Maulvi SYED JALALUDDIN HASHEMY: With reference to (*f*), will the Hon'ble Member be pleased to state whether it was the Assistant Superintendent of Police who struck the blow?

The Hon'ble Mr. W. D. R. PRENTICE: I have nothing to add to the answer.

Point of order.

Maulvi ABUL KASEM: On a point of order, Sir. Has the Government any right to refuse to answer a question or to say that Government is not prepared to answer a question without giving any reason when that question has been admitted by you?

Mr. PRESIDENT: I have said times without number that it is not possible for me to compel a Member of the Government to answer a question if he is unwilling to do so. He should, however, answer a question which does not affect what may be called constitutional propriety or in which secrets of Government are not involved.

Mr. NARENDRA KUMAR BASU: On a point of order, Sir. Is the divulging of the name of an officer who has disgraced His Majesty's uniform of so much importance that it cannot be mentioned in the House?

Mr. PRESIDENT: That is more or less a matter which must be left to the discretion of the Hon'ble Member in charge of the department concerned.

Babu JITENDRALAL BANNERJEE: Sir, will you inform me about one point? Is there any statutory provision under which the Government may refuse to supply information to the members of the Council?

Mr. PRESIDENT: No.

The Hon'ble Mr. A. MARR: Sir, the procedure in the House of Commons might be explained to the House.

Mr. PRESIDENT: If I am to explain the procedure of the House of Commons, I must say that there a Member of the Government can refuse to give an information which he considers should not be given in public interest or in the best interest of the Government. It is his privilege to do so. But at the same time, there is no hard and fast rule—in fact, there is no order of the House which might enable the Speaker to compel a Member of the Government to answer a particular question as there is no order which gives him absolute protection when he refuses to answer a question. It is more or less a matter which is left to the discretion of the Member of the Government concerned for obvious reasons.

The Hon'ble Mr. A. MARR: Has it not been laid down by the Speaker of the House of Commons that it is absolutely within the power of a Member of Government to refuse to answer any question whatsoever, and the Speaker has no power whatsoever to compel a Member of Government to answer that question?

Mr. PRESIDENT: I am afraid that does not improve matters. I have said to-day and on many occasions in the past that it is not possible for the Chair to compel a Member of the Government to answer a particular question, although it is very desirable that any information which can be given to the House without any real harm should not be refused. It is the privilege of the House to ask questions and it is the privilege of the Government not to answer a question which may really hurt it as a Government. You cannot prevent Government from taking shelter behind that privilege: they can refuse any information which they think should not be given out.

Babu JITENDRALAL BANNERJEE: Is it not a fact that even under the Speaker's ruling Government is bound to adduce legitimate reasons why they will not supply a particular information?

Mr. PRESIDENT: Yes, but does that help much?

Mr. B. C. CHATTERJEE: I think the procedure here should be stricter than in the House of Commons, as we cannot turn the Government out as the House of Commons can. I submit that the analogy given by the Hon'ble Mr. Marr does not apply, because in this case we are unable to turn them out and it is out of place. If the Ministry refuse to answer a question, then the House of Commons can turn it out, but here we cannot do that, so we must ask them to be stricter than in the House of Commons.

Mr. PRESIDENT: You cannot go beyond the limits of your own constitution.

Mr. E. O. ORMOND: Is it not a fact that the Members of the Executive Council are quite in a different position to Members of the Cabinet in England?

Mr. PRESIDENT: That is covered by the ruling I have already given.

Mr. E. O. ORMOND: I bow to your ruling.

3-15 p.m.

Supplementary questions.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to tell us with reference to answer (*f*) whether the officer was an Indian or a European officer?

The Hon'ble Mr. W. D. R. PRENTICE: I am not prepared to add anything to my answer.

Mr. B. C. CHATTERJEE: Will the Hon'ble Member be prepared to give us an assurance that he will circularise the district officers that on future occasions they should have the versions of both parties before they sent in any report to Government?

The Hon'ble Mr. W. D. R. PRENTICE: I have nothing to add.

Mr. SHANTI SHEKHARESWAR RAY: Is this disinclination to give the name of the officer due to the intention of the Government to shield this officer?

The Hon'ble Mr. W. D. R. PRENTICE: I have nothing to add to answer (*a*).

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to say if Babu Dhires Chandra Chakrabarti was supplied with fresh glasses?

The Hon'ble Mr. W. D. R. PRENTICE: I do not know.

Ornaments of lady prisoners.

***202. Mr. S. M. BOSE:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that on the 25th February last, three Hindu ladies, Miss Suniti Neogy, B.A., Miss Bina Das Gupta and Mrs. Niraja Bhattacharya, were arrested along with others for being members of a procession in the streets of Calcutta?

(*b*) Is it a fact that during their detention in the lock-up at the Jorasanko *thana* or at Lalbazar, their guardians were not permitted to supply them with food?

(*c*) Is it a fact that they refused to take the food ordered by the authorities as being very dirty?

(*d*) Is it a fact that they remained without food till the next day?

(*e*) Is it a fact that at Lalbazar, their ornaments including bangles and *sankha* and *loha* were taken off and removed?

(*f*) Is it a fact that the ladies or any of them strongly or at all protested against such removal, or that under threat of removal of the said ornaments by force, the ladies were compelled to take them off themselves?

(*g*) Is the Hon'ble Member aware that removal of such ornaments from the arm is regarded as a sign of widowhood, and highly inauspicious by the Hindus, especially in the case of married ladies?

(*h*) Is it a fact that the trying Magistrate Mr. Wazid Ali directed that ornaments necessary according to religious custom should be given back to the ladies?

(*i*) If the answer to (*h*) is in the affirmative, will the Hon'ble Member be pleased to state what action has been taken in the matter?

(*j*) Has any order been passed by Government dealing with the removal of ornaments and jewellery from the persons of Hindu ladies sent to jail?

(*k*) If the answer to (*j*) is in the affirmative, what is the purpose of the said order?

(*l*) If no order has yet been passed, is the Government considering the desirability of issuing orders at once?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) Yes.

(*c*) No.

(*d*) No. They had food about 6 p.m. on 25th February, 1932, and 7 a.m. on 26th February, 1932.

(*e*) On request, they made over bangles, earrings and neckchains.

(*f*) No.

(*g*) Government are not aware that removal of the ornaments mentioned in the reply to (*e*) is regarded as a sign of widowhood.

(*h*) Yes.

(*i*) The ornaments were sent to the jail authorities for necessary action under the Jail Code.

(*j*) and (*k*) The member is referred to rule 514 of the Jail Code.

(*l*) Does not arise.

Mr. B. C. CHATTERJEE: With regard to (*g*), was it not possible for the Hon'ble Member to inquire of any of his Indian officers as to whether it was a sign of widowhood or not?

The Hon'ble Mr. W. D. R. PRENTICE: I have inquired.

Mr. NARENDRA KUMAR BASU: With reference to answer (*e*), will the Hon'ble Member be pleased to state who made the request?

The Hon'ble Mr. W. D. R. PRENTICE: The officer in charge of Lalbazar lock-up. I do not remember his name.

Mr. NARENDRA KUMAR BASU: Is the Hon'ble Member in a position to state whether the ornaments were taken off and removed by the ladies themselves and not by the police officer?

The Hon'ble Mr. W. D. R. PRENTICE: There is the answer in (*e*); on request they made over their ornaments.

Mr. NARENDRA KUMAR BASU: On whose information was that answer prepared?

The Hon'ble Mr. W. D. R. PRENTICE: The Commissioner of Police.

Mr. B. C. CHATTERJEE: Will the Hon'ble Member be pleased to state whether his Indian informant was a Hindu or a non-Hindu?

The Hon'ble Mr. W. D. R. PRENTICE: A Hindu as far as I remember.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if ornaments are always removed in such cases?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, in accordance with the general procedure.

Public libraries.

*283. **MUNINDRA DEB RAI MAHASAI:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing since the last report—

(*i*) a list of the registered public libraries; and

(*ii*) the public libraries receiving Government publications?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*i*) and (*ii*) A statement is laid on the table.

Statement.

(*i*) (*1*) Bartala Moslem Library, Bartala, Garden Reach, Kidderpore.

(*2*) Taltala Public Library, 12, Neogipukur Lane, Calcutta.

(*ii*) Bansberia Public Library, Hooghly.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to tell us the number of registered public libraries in Bengal outside Calcutta?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state what other public libraries outside Calcutta received Government publications?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The member is referred to a reply I gave to a question in this session.

Hawkers obstructing thoroughfares.

***204. Mr. C. C. COOPER:** (*a*) Is the Hon'ble Member in charge of the Police Department aware of the great inconvenience caused to the general public by hawkers blocking the pavements by turning them into a bazaar, especially in the Clive Street area?

(*b*) Are the police not empowered to prevent such obstruction?

(*c*) If police have no powers to stop the nuisance complained of, are Government contemplating taking any action in this matter?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) Police are empowered to take action in cases of obstruction and arrests are made daily of hawkers and others who obstruct Clive Street and its vicinity, *e.g.*, between 1st and 18th March 302 hawkers were arrested in this neighbourhood.

(*c*) Does not arise.

Nuisances in Calcutta maidan.

*205. **Mr. C. C. COOPER:** (*a*) Is the Hon'ble Member in charge of the Police Department aware of the danger to the health of Calcutta created by the *maidan* being turned into a public urinal and W.C.?

(*b*) Have the police no authority to forbid the use of the lungs of Calcutta for such dangerous practices?

(*c*) If so, are Government contemplating taking any action to prevent this nuisance?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Government have no reason to believe that the *maidan* is improperly used to the extent suggested by the question.

(*b*) The police have powers to deal with cases of nuisance and they use them.

(*c*) Does not arise.

Unstarred Questions

(answers to which were laid on the table).

Problem of unemployment.

110. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing—

(*i*) what is the present number of unemployed among young men who have left the University either as graduates or undergraduates;

(*ii*) what are their present occupations;

(*iii*) what efforts have the Government made to solve the problem of unemployment among them during the year ending 31st December, 1931, and with what success; and

(*iv*) whether the Government keeps any record of the number of those unemployed?

(*b*) If the answer to (*a*) (*iv*) is in the negative, will the Hon'ble Minister be pleased to state whether the Government has in contemplation the preparation of an annual census of the unemployed among all classes in Bengal?

(*c*) Is the Hon'ble Minister aware that the commission of crimes against property by young men especially of the *bhadralok* class is largely due to unemployment among them?

(*d*) How does the Government propose to tackle the problem?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: (*a*) (*i*) and (*ii*) Government have no information on the subject.

(*iii*) The question of unemployment amongst the educated middle classes and Anglo-Indians was investigated by a committee appointed in 1922 in pursuance of a resolution carried in Council. A copy of the committee's report together with a statement showing the action taken thereon is laid on the library table. It will be seen that it was not found feasible to initiate any practical measures for tackling the unemployment problem. The local Industries Department is concerned only with unemployment in industrial occupations and it affords facilities for an industrial career for young men by providing for training in technical and industrial subjects. For the activities of the department in that direction, the member is referred to the annual administration report of the department for the year 1930-31 and Government resolution thereon copies of which are laid on the library table.

(*iv*) No.

(*b*) No. Government do not consider the preparation of an annual census of unemployed to be a practical proposition. It may be mentioned in this connection that the recommendation of the committee referred to in reply to (*a*) (*iii*) for the establishment of unemployment bureau attached to the Calcutta and Dacca Universities was negatived by the Universities.

(*c*) Government recognise that unemployment due to economic stress is one of the causes which has contributed to the commission of crimes against property.

(*d*) Although Government do not think that with the limited resources at their disposal they can do much to mitigate the effects of unemployment, they are prepared to consider any scheme which will help to solve unemployment and consequent economic distress among the middle classes and with this end in view an informal meeting of officials and non-officials was recently held and the committee's conclusions are now under consideration.

Rai KESHAB CHANDRA BANERJI Bahadur: Will the Hon'ble Minister be pleased to state the number of students belonging to the *bhadralok* class now reading in the different agricultural schools in Bengal?

SECRETARY to GOVERNMENT, AGRICULTURE and INDUSTRIES DEPARTMENT (Mr. L. R. Fawcus): I want notice.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to state whether such practical measures have been taken in other countries than Calcutta?

Mr. L. R. FAWCUS: I want notice.

Fees for audit work of the Bangiya Tili Jati Co-operative Bank, Limited.

111. Mr. SARAT KUMAR ROY: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that though the Bangiya Tili Jati Co-operative Bank, Limited, Calcutta, paid the audit fees on the 31st March, 1931, the audit work was not made till the 30th September, 1931, and the report was not received before the 27th January, 1932?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason for the unusual delay both in audit and in the submission of the report?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: (*a*) The audit for which the fees were paid on 31st March, 1931, was completed on 9th July, 1930, and the audit note sent to the society on 12th August, 1930.

(*b*) As regards the delay in the receipt of the note on the audit of the society during 1931-32, referred to by the member, the audit was completed on 30th September, 1931, and the balance sheet drawn up by the auditor was made over to the Secretary of the society in the beginning of October, 1931, for the signature of three Directors of the society thereon as required. This was received back from the society in December, 1931, after the Secretary of the society had been reminded. The audit orders with the audit note were sent out to the society on 27th January, 1932.

Ranaghat People's Bank.

112. Mr. SARAT KUMAR ROY: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that a bye-law of the Ranaghat People's Bank, laying down that no debtor should be a Director of the bank, has recently been cancelled with the approval of the present Registrar and that the Secretary just elected is a debtor of the bank through his relatives, if not on his own account?

(*b*) Is it a fact that the same person continued as the Chairman of the bank these several years and that there is a decree pending execution against him?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: (*a*) The bye-law of the Ranaghat People's Bank laying down that no debtor should be a Director of the bank was partially amended in June, 1930, so as to allow three of the Directors being elected from among the debtor members who would, however, be not eligible to be elected Chairman,

Secretary, Joint Secretary or Treasurer; the amendment further provides that no Director shall get any loan during his term of office, and that if any Director defaults during his term of office without sufficient grounds in the opinion of the other Directors, he shall be liable to removal. The present Secretary is not a debtor to the bank though some of his relatives are, but this has never been any bar to election as Secretary.

(*b*) Babu Bonomally Banerjee was for the first time elected to the Board of Directors and also as Chairman on the 12th of April, 1931. He has been re-elected as Chairman on 7th February, 1932. He is not indebted on his own account to the Ranaghat People's Bank. Before his election as Chairman, however, he stood surety for the loans taken by two members of the bank against whom the bank has since obtained decrees which are now under execution.

Case of the Secretary of State for India vs. the Hindustan Co-operative Insurance Society.

113. Maulvi ABUL KASEM: (*a*) Has the attention of the Hon'ble Member in charge of the Judicial Department been drawn to the judgment of the Hon'ble the Chief Justice in the case of the Secretary of State for India *versus* the Hindustan Co-operative Insurance Society reported in 36, Calcutta Weekly Notes, pages 40 *et seq*, in which the following passages occur:—

"We are of opinion that on the merits there is a great deal to be said on behalf of the Secretary of State and that it does appear that the learned Judge fell into an error in arriving at the figure Rs. 94,330 on the assumption made by them and that the Secretary of State had a real grievance."

"But the Secretary of State now says that as he had been advised to file an appeal to His Majesty in Council, he did not apply for review of judgment at that time. This is a position so extraordinary and so strange that we feel some difficulty in believing that the Secretary of State could have been so advised by any responsible lawyer."

"Under these circumstances, much as we regret the conclusion, it is impossible for us to afford any relief to the Secretary of State and we are of opinion that this Rule must be discharged. There will be no order for costs."

(*b*) Is it a fact—

(*i*) that the tax-payer has thereby suffered a loss of Rs. 56,710 and

(*ii*) that a sum of Rs. 15,000 has been thrown away by preferring an incompetent appeal to the Privy Council and thereafter by an infructuous application for review in the High Court?

(*c*) Will the Hon'ble Member be pleased to state the name of the gentleman whose advice has caused so much loss to the tax-payer?

(*d*) What action, if any, has the Government taken or does it propose to take against this legal adviser?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) (*i*) The loss suffered was roughly as stated.

(*ii*) Five-sixths of the taxed costs of the Privy Council appeals were paid by Government. There were no costs in the revised application.

(*c*) and (*d*) Government are not prepared to make any statement on these two points but must not be taken as accepting the implications underlying the question.

Maulvi ABUL KASEM: Will the Hon'ble Member be pleased to state the reason for not giving out the name of the lawyer for whose inefficiency the tax-payer has lost such a large sum?

The Hon'ble Mr. W. D. R. PRENTICE: Government do not give such information.

Construction of an escape at Harisinghpur on the Selye and the sluice at Gopigunge.

114. Maulvi SYED MAJID BAKSH: (*a*) With reference to the reply given to unstarred question No. 53 on the 8th August, 1929, will the Hon'ble Member in charge of the Irrigation Department be pleased to state whether an escape at Harisinghpur on the Selye and the sluice at Gopigunge have been constructed?

(*b*) If the answer to (*a*) is in the negative, when are the sluice and the escape likely to be constructed?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): (*a*) No.

(*b*) It is not possible to say when they are likely to be constructed? It cannot be done until the financial position improves.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state if it is not a fact that in the absence of the sluices, the construction already made will be in great danger?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I want notice.

Directors of different co-operative banks of the Chittagong division.

115. Rai KAMINI KUMAR DAS Bahadur: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that permission for re-election is being granted to the Directors of different co-operative banks of the Chittagong division after expiration of their three years' continuous election as Directors?

(*b*) Will the Hon'ble Minister be pleased to state how many such permissions have been granted stating the number of years in case of each Director?

(*c*) Will the Hon'ble Minister be pleased to state whether the Government contemplates restricting such granting of permission in future?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: (*a*) Yes.

(*b*) The information is not readily available and the collection of it would involve an excessive clerical labour which the Government are not prepared to undertake.

(*c*) This is a discretion vested in the Registrar by a statutory rule and Government do not propose to interefere.

Chittagong Central Bank.

116. Rai KAMINI KUMAR DAS Bahadur: (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware—

(*i*) that no paid Manager or Secretary has been appointed in the Chittagong Central Bank; and

(*ii*) that the Registrar of the Co-operative Department desired that such paid Manager or Secretary should be appointed by the Chittagong Central Bank?

(*b*) Is the Government considering the desirability of taking steps to see that such paid Manager or Secretary is appointed without delay in the Chittagong Central Bank?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: (*a*) (*i*) Yes.

(*ii*) A suggestion to this effect was made by the departmental officers.

(*b*) It is for the Central Bank to give effect to this suggestion and Government cannot interfere in the matter.

Proposal of an outpost at Baniaguri (Manikganj).

117. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state—

(*i*) the number of dacoities committed in the subdivision of Manikganj in the Dacca district during the last six months; and

(*ii*) in how many of those cases the culprits have been detected?

(*b*) Is the Hon'ble Member aware of a feeling of insecurity prevailing amongst the people of the subdivision?

(*c*) What steps are being taken to prevent the recurrence of such crimes?

(*d*) Is the Government considering the desirability of re-establishing a police section (outpost) at Baniaguri temporarily in place of one at Gangdubi in that subdivision, which was abolished lately?

(*e*) Is the Hon'ble Member aware that free quarters are available at Baniaguri?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) Twenty in the six months ending 29th February.

(*ii*) 4 : 3 cases are still under investigation.

(*b*) No.

(*c*) Steps are being taken to introduce patrol posts in the area and to institute cases under section 110, Criminal Procedure Code, against the known bad characters.

(*d*) No.

(*e*) Does not arise.

Age-limit for retirement.

118. Babu LALIT KUMAR BAL: (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether there is any age-limit for the compulsory retirement of ministerial officers?

(*b*) If the answer to (*a*) is in affirmative, will the Hon'ble Member be pleased to state whether it is enforced in all cases?

(*c*) If there is no such age-limit, is the Government considering the desirability of fixing such a limit?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) Yes, 60 years.

(*b*) Exceptions to the rule are rare and only allowed in very special circumstances under the orders of Government.

(*c*) Does not arise.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state what are the special circumstances referred to in answer (*b*)?

The Hon'ble Mr. A. MARR: Each case must be judged on its merits.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state how many special cases of this nature have taken place in Bengal?

(No reply.)

Reference to the impending retirement of the Hon'ble Mr. A. Marr, C.I.E.

Mr. PRESIDENT: Gentlemen of the Council, the last day of a session of the Council is bound to have a melancholy touch about it. No doubt we part to meet again, but all partings are sad. Work is such a cement that it binds together the co-workers so close and tight that separation, whether temporary or otherwise, cannot but cause pain and remorse. This day is all the more sad because we have to say good-bye, perhaps for good, to the retiring Leader of the House. When the Council will meet again, we shall miss very much the familiar figure of the Hon'ble Mr. Marr who has so long made our environment so cheery. His gentle personality, tactfulness and all-pervading friendliness have made a deep and abiding impression upon us. I have known him intimately for a good many years and although it might have been my experience as a public man, as it might have been yours, that he is as close-fisted as any Finance Member, I can say without any fear of contradiction that to know him is to love him; for nobody knows better than him how to take away the sting of a refusal. I am sure I voice the sentiment of this Council when I say that we consider him to be an ideal Leader of the House. In your name and on your behalf and on my own behalf also I wish him God-speed, health, happiness and prosperity in his home land or in any place where he may be called by duty to fulfil his destiny. If he has laboured hard, and, what is more important, laboured honestly, the reward prescribed in the economy of Providence for honest labour will be his.

The Hon'ble Mr. A. MARR: Sir, I must thank you very much indeed for the kind remarks you have made about me and I am very thankful to the hon'ble members of this House for the way in which they have received your remarks. When I look round this House, I feel that I am the *budda* and that you are all my *chokras*. I put forward the claim that I am the only member here who has been in this Council from the pre-reform days. I find, however, that I cannot

substantiate this claim as we still have Sir Provash Chunder Mitter, my friend here Sir Abdelkerim Ghuznavi, Babu Kishori Mohan Chaudhuri, Mr. Abul Kasem, and lastly Sir Lancelot Travers: they were all members of the pre-reform Council. I mention Sir Lancelot Travers last, because he has put forward a very unjust claim to be the oldest member of this Council. I claim to be the longest continuous member in this House, and merely because I was sent up for three months in 1925 to the Legislative Assembly, Sir Lancelot Travers claims to supersede me. Well, Sir, as I say, I have been a member of this House since 1919 and I have watched with great interest the growth of a parliamentary spirit in this House and I can say most confidently that more and more as we have gone on, this House has realised its responsibility, its dignity, its duty of respecting the Chair and its ideal in conducting its proceedings in a proper way, and I do hope that that spirit will continue right through. I again thank you, Sir, for your kind remarks and all the members of this House for the way in which they have received them.

GOVERNMENT BILLS.

[The discussion on the Bengal Rhinoceros Preservation Bill, 1932, further resumed.]

Clauses 1 and 2.

Mr. PRESIDENT: The question is that clauses 1 and 2 stand part of the Bill.

The motion was put and agreed to.

Clause 3.

Mr. PRESIDENT: The question is that clause 3 stand part of the Bill.

Maulvi ABDUL HAMID SHAH moved that in clause 3 (*1*), line 5, for the words "one thousand" the words "two hundred" be substituted.

He spoke in Bengali, the English translation of which is as follows:—

"Sir, where two alternative punishments, such as a fine or imprisonment, are provided, it should be the chief duty of the members of the Council to see that there is no disproportion between them. Nowhere in the existing Criminal Procedure Code do we find mention of any offence which carries a punishment of one month's imprisonment or a fine of one thousand rupees in default thereof. Very often a fine of

Rs. 50 or Rs. 100 only is inflicted in lieu of imprisonment for one month. In these circumstances, I propose that in the fifth line of section 3 (*1*) of the Bengal Rhinoceros Preservation Bill the words "one thousand" should be replaced by "two hundred."

I hope the amendment will be accepted by the House."

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Sir, I do not think I can add very much to what I said yesterday. The reason for providing a heavy fine is that the punishment should be deterrent one. I oppose this motion.

The motion of Maulvi Abdul Hamid Shah was then put and lost.

The following motions were called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY to move that in clause 3 (*1*) in line 5 for the words "one thousand" the words "one hundred" be substituted.

Maulvi SYED JALALUDDIN HASHEMY to move that in clause 3 (*2*), line 4, for the words "six months" the words "three months" be substituted.

Maulvi SYED JALALUDDIN HASHEMY and Maulvi ABDUL HAMID SHAH to move that in clause 3 (*2*), line 5, for the words "two thousand" the words "five hundred" be substituted.

Mr. PRESIDENT: The question is that clause 3 stand part of the Bill.

The motion was put and agreed to.

Clause 4.

Mr. PRESIDENT: The question is that clause 4 stand part of the Bill.

The motion was put and agreed to.

Clause 5.

Mr. PRESIDENT: The question is that clause 5 stand part of the Bill.

The following motion was called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY to move that in clause 5, line 3, for the words "three days" the words "one week" be substituted.

Mr. PRESIDENT: The question is that clause 5 stand part of the Bill.

The motion was put and agreed to.

Clause 6.

Mr. PRESIDENT: The question is that clause 6 stand part of the Bill.

The following motions were called but not moved:—

Maulvi ABDUL HAMID SHAH to move that in clause 6, line 3, for the words "five hundred" the words "two hundred" be substituted.

Maulvi SYED JALALUDDIN HASHEMY to move that in clause 6, line 3, for the words "five hundred" the words "one hundred" be substituted.

Mr. PRESIDENT: The question is that clause 6 stand part of the Bill.

The motion was put and agreed to.

Clause 7

Mr. PRESIDENT: The question is that clause 7 stand part of the Bill.

The motion was put and agreed to.

The Preamble

Mr. PRESIDENT: The question is that the Preamble stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Sir, I beg to move that the Bengal Rhinoceros Preservation Bill, 1932, as settled in Council, be passed.

Maulvi ABUL KASEM: On a point of order, Sir. Is it desirable that an important measure like the Rhinoceros Bill should be passed on All-Fools' day?

Mr. PRESIDENT: That is not a point of order.

The motion that the Bengal Rhinoceros Preservation Bill, 1932, as settled in Council, be passed was then put and agreed to.

Mr. PRESIDENT: The House has given a reply to Maulvi Abul Kasem's question. (Laughter.)

The Bengal Municipal Bill, 1932.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I beg to introduce a Bill to consolidate and amend the law relating to municipalities in Bengal.

[The Secretary then read the short title of the Bill.]

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg also to move that the said Bill be referred to a Select Committee consisting of—

Mr. S. M. Bose,
Khan Bahadur Maulvi Alimuzzaman Chaudhuri,
Rai Keshab Chandra Banerji Bahadur,
Khan Bahadur Maulvi Azizul Haque,
Rai Satyendra Kumar Das Bahadur,
Munindra Deb Rai Mahasai,
Mr. Narendra Kumar Basu,
Khan Bahadur Muhammad Abdul Momin,
Mr. J. E. Ordish,
Mr. C. W. Gurner,
Mr. Girish Chandra Sen; and
the mover,

with instruction to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Bengal Municipal Act of 1884 is one of the earliest statutes which conferred the right of self-government on local bodies. This was in a manner the first experiment in this direction. Municipalities with a majority of elected members with powers of taxation and improvement of civic amenities under the check and control of the Local Government in cases of abuse of power came into existence under this Act. The franchise was based on payment of rates or taxes besides educational qualifications. The total number of people enfranchised on this basis excluding Darjeeling is 387,562 in 172 municipalities governed by the Bengal Municipal Act. The total population living in these municipalities is 2,314,851, the percentage of people enfranchised being 17·74. With the development of trade and industry, these urban areas have greatly improved during the last 20 years and are now faced with all the problems of growing towns and their difficulties of civic administration. It is true that the provisions of the existing Act are yet quite adequate to meet the needs of small municipalities with very

limited resources and of municipalities not showing much signs of development and expansion. But there are quite a large number of them whose population, education, wealth, importance as centres of commerce and industry, justify greater popular control over civic administration and undertaking of useful projects of improvement, conducive to the health and comfort of the citizens. Many problems and factors like the presence of a large labour population, housing, adequate supply of drinking water, proper lighting of populous towns, supply of pure food and building of houses with due regard to hygienic rules, construction of streets to accommodate a growing traffic, are problems not adequately provided for in an Act passed half a century before. To meet some of these difficulties, amendments of certain sections of the Act were undertaken in 1886, 1894 and again in 1896. But Government have felt the need of a comprehensive amendment of this Act ever since 1905 and they desired to re-enact the measure as a whole on more modern lines. But nothing materialised till 1925, when a Bill drafted during the ministry of the late Sir Surendra Nath Banerjea was introduced in the Council by the late Maharaja Bahadur of Nadia, then in charge of the Department of Local Self-Government in the absence of a Minister. But unfortunately the introduction being opposed, the Bill was thrown out. Last year it was my privilege to appoint an expert committee to examine this Bill and to suggest changes in the light of the experience since gained. The committee met at Darjeeling in October last and worked strenuously for several days. The present Bill is based on their recommendations. Some important changes were recommended which included amongst others—

(1) those about franchise qualifications;

(2) provision for the representation of minorities, where necessary;

(3) representation of labour;

(4) some changes with regard to the provisions of assessment; and

(5) control of municipalities by the Local Government.

Majority of these recommendations have been incorporated in the Bill. The objects and reasons explain in detail the provisions and I do not propose to deal with them at this stage. But I shall only touch some of salient features of the Bill and principal improvements contemplated.

3-45 p.m.

As regards constitution, the schedules in the present Act providing for the appointment by Government of all the commissioners and the chairman are abolished and the proportion of elected commissioners is increased to three-fourths instead of two-thirds, as at present, in case

of average municipalities, while in certain advanced municipalities mentioned in the schedule of the Bill, the elected proportion is raised to four-fifths. In view of the administrative difficulties, which will frequently arise in the formation of a new municipality, Government retain power in such cases to nominate all the commissioners for a period not exceeding one year.

To safeguard the rights of minorities under this wide extension of the elective system, Government take power to alter the number of commissioners to provide specially by rule for the representation of minorities, and in the case of industrial areas to increase the number of nominated commissioners or to provide for the proper representation of the industry or labour and of other inhabitants not directly connected with the industry by special electoral constituencies in each case.

The franchise has been greatly widened; payment of any sum in respect of municipal rates will qualify for a vote. The Local Government have power to fix and modify the minimum amount of other fees and taxes, the payment of which will also qualify for a vote.

Members of joint families who hold in severalty property on which they pay rates or taxes in their own names will enjoy a personal vote in addition to the vote which they share jointly with other members of the family and exercise through a selected representative.

Provision has been made against the commission of corrupt practices or the using of undue influence, and a special procedure is prescribed for the prompt disposal of election disputes.

Provision has been made for the election of more than one vice-chairman and the appointment of a whole-time Executive Officer for larger municipalities.

Statutory recognition is given to the formation of standing committees. With an extension of the committee system on these lines, it has been considered unnecessary to retain any provision for ward committees which moreover have not hitherto been formed in many municipalities.

The next point is control by Government. By increasing the elective element in municipal boards, Government have abandoned its old system of "internal control." The popular voice is thereby given greater freedom in the direction of policy and the details of administration. At the same time, a very large extension of powers over the property and personal rights of the ratepayers is given to the popular representatives. The function of the State is to secure the proper exercise of discretion by the commissioners without undue interference with the principle of local autonomy, and this can only be effected by vesting Government with adequate powers of "external control."

The present Act provides, in the event of specific default on the part of the commissioners, for Government appointing the magistrate to perform at the cost of the municipal fund that duty in which default has been made.

Where there is persistent default, Government may under the present Act take the extreme step of superseding the commissioners.

These powers are retained in the Bill. Experience has, however, shown that it is rather in respect of the management of a particular department than of general administration that the intervention of Government is required and power is, therefore, taken to place such a department temporarily under Government control instead of having resort to the drastic measure of supersession.

It has again been found that serious defects from time to time occur in the management and maintenance of the three primary services of an urban community, *viz.*, drainage or sewerage works, lighting and waterworks. At present Government can only intervene with the buldgeon of supersession, and it has been considered desirable to take powers to bring important works of this kind under Government control, when the commissioners—after the fullest inquiry—have been adjudged negligent or inefficient in this part of their duties.

Again the Bill provides a new and alternative method of intervention, by empowering the Local Government where default, mismanagement or abuse of power is proved, to dissolve the municipal board instead of superseding or suspending its constitution.

The electors are thereby given the opportunity of pronouncing judgment on the outgoing commissioners; if their verdict is unfavourable, a new board will come into power to rectify the errors of its predecessors; if, on the other hand, the electors desire to dissociate themselves from the action of Government, they may by re-election pass a vote of confidence in the board, which has been dissolved.

Important changes have been introduced with regard to municipal finance and taxation by the proposal to abolish the existing tax on person. That tax is difficult to assess, and gives rise to widespread complaints of unfair incidence. The rate on holdings is a far more scientific and satisfactory form of taxation, and it is desirable that it should be adopted throughout.

A further important innovation is the proposal to create a panel of municipal assessors. Re-assessment is undoubtedly at present a weak point in some municipalities, and in providing for the creation of a body of independent and impartial assessors, Government are merely adopting a system which has always been in force in the democratic municipalities in Great Britain.

With the object again of securing an equitable and satisfactory assessment, it is proposed to place appeals against the assessment before

a committee consisting of the chairman, a municipal commissioner appointed by his colleagues and a person nominated by the Local Government.

The commissioners are proposed to be invested with wide powers for improvement in conservancy, drainage, water-supply, lighting, and improvement of streets, buildings and *bustees*.

Adequate provisions have been made to restrain the spread of infection, for opening of municipal markets, slaughter houses and for taking steps for the supply of wholesome food, drugs and milk. Registration of births and deaths have also been provided for.

The constitution of an Education Committee is made statutory. It could be appointed as one of the standing committees, but the subject is of sufficient importance to demand prominence in a comprehensive statute of this kind.

Where no education cess is levied under Act IV of 1919, the Local Government is empowered by general or special order to prescribe a percentage of the municipal income (exclusive, however, of the three chief special rates) to be applied to the promotion of primary education in any municipality.

This Bill deals with no phase of municipal activity which is not already a commonplace of municipal administration in England, and, where any chapter is at present beyond the scope of a particular town, it still, though it may remain for some years a dead letter, possesses educative value and marks a goal, at which the body corporate, at a later stage, may easily aspire.

This Bill, if passed into law, will introduce important and salutary changes in the municipal administration of this province, will democratise the constitution and will be the first experiment in extended franchise. It will place powers of additional taxation in the hands of the representatives of the ratepayers to enable them to undertake schemes of town improvement and schemes conducive to the health and happiness of the people. It proper use is made of this measure, with imagination, foresight and tact, it may be reasonably hoped that in 25 years' time our *mufassal* towns instead of being conglomerations of unhealthy houses built with utter disregard of hygienic rules, served with dusty narrow roads and instead of being the dumping grounds of all nuisances as they are at present, will be transformed into beautiful urban areas with well-planned houses, broad, clean and well-lighted streets, with abundant supply of filtered water and nice open spaces, where healthy children will play and develop as able and useful citizens. I crave the co-operation of the hon'ble members belonging to all sections of the House and of representatives of all classes and communities in piloting this Bill through the Select Commitee and

ultimately in placing it on the statute book in the interest of the present and future generations of our countrymen, as well as of those interested in the welfare of Bengal.

Maulvi ABUL KASEM: Sir, I rise to congratulate the Hon'ble Minister on the introduction of this Bill. It is needless for me to say that an amendment of the Bengal Municipal Act has been long overdue. As has been stated, the Bengal Municipal Act was passed during the viceroyalty of Lord Lytton, and for all these years no change has been made, and although Government have from time to time taken measures to build up the fifth and sixth stories, they have left the groundfloor unattended so long. It is a matter, however, of colossal pride to me that, although Ministers have come and Ministers have gone, it was reserved for a Minister coming from my part of the country to tackle this question of a very important character. Sir, this Bill has also a particular charm for me. As it was stated, this Bill was first drafted and got ready by my revered leader, the late Sir Surendra Nath Banerjea. As soon as he became a Member of the Government, it was his fond hope, ambition and desire to see the Municipal Acts remodelled and, I mean to say, improved. I am glad to say that he was able to see the municipality of the city of Calcutta improved; but although the Bengal Municipal Act and the Local Self-Government Act were drafted and got ready, he could not see them through, and it must be said to our eternal shame that in spite of his best efforts, he could not see them through. I am, however, very glad that this Bill has been brought forward and I share the hopes of the Hon'ble Minister that the Bill will pass through the Select Committee and this House smoothly.

The following motion was called but not moved:—

Rai KAMINI KUMAR DAS Bahadur to move that after the name of Mr. Girish Chandra Sen, the following names be inserted, namely—

Mr. J. N. Gupta, C.I.E., M.B.E.,

Mr. Syamaprosad Mookerjee,

Babu Khetter Mohan Ray,

Babu Hem Chandra Roy Choudhuri,

Rai Sahib Rebati Mohan Sarker,

Maulvi Nural Absar Choudhury,

Haji Badi Ahmed Chowdhury, and

Rai Kamini Kumar Das Bahadur, M.B.E.

Dr. AMULYA RATAN GHOSE: Sir, I beg to move that after the name of Mr. Girish Chandra Sen, the following names be inserted, namely:—

Mr. A. F. M. Abdur-Rahman,

Babu Kishori Mohan Chaudhuri,

Dr. Amulya Ratan Ghose,

Maulvi Tamizuddin Khan,

Babu Satyendra Nath Roy, and

Dr. Naresh Chandra Sen Gupta.

I hope, Sir, that my amendment will be accepted.

Rai Sahib SARAT CHANDRA MUKHOPADHAYA: Sir, I wish to point out some defects which are in the Bill which has just been introduced.

Firstly, in some of the existing *mufassal* municipalities, the system of personal tax prevails. If tax on property alone, as contemplated in the Bill, be imposed on these municipalities, their income would be considerably reduced, and it would be impossible for them to go on with the small income. As we know, some of the municipalities consist of a cluster of huts. The maximum monthly rent of a *pucca* house is about Rs. 25 and ordinarily there are clusters of thatched houses with mud walls and the monthly rent in their case varies from Rs. 6 to Rs. 10. So, I think, that a provision should be made in the Bill for the imposition of a personal tax in such municipalities.

Secondly, the preparation of the voters' list should not be left on the chairman alone. For purity of election it is desirable that the voters' list should be prepared by some independent authority unconnected with the municipality in consultation with the chairman.

Thirdly, as in the case of Council election, deposits should be taken from the candidates for municipal election to prevent unnecessary crowding of candidates.

Fourthly, provision should be made in the Bill for granting rebate to persons who would pay their dues at the municipal office within a fixed time, as this will reduce the cost of collection and ensure prompt realisation of the municipal tax.

I beg to suggest that the Select Committee will take into consideration all these points when considering the Bill.

4 p.m.

The following motion was called but not moved:—

Maulvi MUHAMMAD FAZLULLAH to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Mr. A. F. M. Abdur-Rahman,
Maulvi Syed Majid Baksh,
Rai Sahib Rebati Mohan Sarker,
Khan Sahib Maulvi Muazzam Ali Khan,
Mr. H. S. Suhrawardy, and
Maulvi Muhammad Fazlullah.

Maulvi SYED OSMAN HAIDER CHAUDHURI: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Haji Badi Ahmed Chowdhury,
Babu Khetter Mohan Ray,
Maulvi Muhammad Hossain,
Maulvi Abdul Ghani Chowdhury, and
Maulvi Nural Absar Choudhury.

The following motion was called but not moved:—

Babu AMULYADHAN RAY to move that after the name of Mr. Girish Chandra Sen, the following names be inserted, namely:—

Mr. A. F. M. Abdur-Rahman,
Mr. Sarat Chandra Bal,
Babu Lalit Kumar Bal,
Rai Sahib Rebati Mohan Sarker, and
Babu Amulyadhan Ray.

Haji BADI AHMED CHOWDHURY moved that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Rai Kamini Kumar Das Bahadur, M.B.E.,
Maulvi Tamizuddin Khan,
Maulvi Syed Osman Haider Chaudhuri,
Haji Badi Ahmed Chowdhury, and
Mr. A. F. M. Abdur Rahman.

He spoke in Bengali in support of his motion.

Khan Sahib Maulvi MUAZZAM ALI KHAN: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Mr. A. F. M. Abdur-Rahman,

Maulvi Abdul Ghani Chowdhury,

Maulvi Nur Rahman Khan Eusufji, and

Khan Sahib Maulvi Muazzam Ali Khan.

The following motion was called but not moved:—

Maulvi MUHAMMAD SAADATULLAH to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Mr. A. F. M. Abdur-Rahman,

Maulvi Muhammad Saadatullah,

Maulvi Abdul Ghani Chowdhury, and

Maulvi Nur Rahman Khan Eusufji.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Dr. Naresh Chandra Sen Gupta,

Maulvi Hassan Ali, and

Maulvi Syed Jalaluddin Hashemy.

Babu HEM CHANDRA ROY CHOUDHURI: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Rai Kamini Kumar Das Bahadur, M.B.E., and

Babu Hem Chandra Roy Choudhuri.

Mr. PRESIDENT: I think I may tell the House at this stage that in the House of Commons a Select Committee would ordinarily consist of only 15 members unless the House particularly wished to have a larger number. I say this only for the information of the House.

The following motion was called but not moved:—

Babu NAGENDRA NARAYAN RAY to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Maulvi Tamizuddin Khan,

Rai Sahib Panchanan Barma, M.B.E., and

Babu Nagendra Narayan Ray.

Mr. R. MAITI: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Babu Satish Chandra Ray Chowdhury,

Dr. Naresh Chandra Sen Gupta,

Babu Suk Lal Nag, and

Mr. R. Maiti.

Rai Sahib PANCHANAN BARMA: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Babu Nagendra Narayan Ray,

Babu Amulyadhan Ray, and

Rai Sahib Panchanan Barma, M.B.E.

In this connection I beg to submit that on looking at the list given by the Hon'ble Minister, I find that no member of the backward class has been included on the committee. The number of the backward classes in towns is great, and they do not like to be represented by others. I suggest the addition of these names. If necessary, I am willing to withdraw in favour of the other two names.

The following motions were called but not moved:—

Rai Sahib AKSHOY KUMAR SEN to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Babu Satish Chandra Ray Chowdhury,

Mr. Sarat Chandra Bal, and

Rai Sahib Akshoy Kumar Sen.

Mr. SARAT CHANDRA BAL to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Rai Sahib Panchanan Barma, M.B.E.,

Rai Sahib Rebati Mohan Sarker, and

Mr. Sarat Chandra Bal.

Maulvi TAMIZUDDIN KHAN to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Khan Sahib Maulvi Muazzam Ali Khan,

Mr. A. F. M. Abdur-Rahman, and

Maulvi Nur Rahman Khan Eusufji.

Maulvi MUHAMMAD HOSSAIN to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Mr. A. F. M. Abdur-Rahman,

Maulvi Tamizuddin Khan, and

Maulvi Muhammad Hossain.

Babu SATYENDRA NATH ROY to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Dr. Amulya Ratan Ghose, and

Babu Satyendra Nath Roy.

Babu KHETTER MOHAN RAY: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Mr. A. F. M. Abdur Rahman,

Babu Khetter Mohan Ray, and

Babu Satish Chandra Ray Chowdhury.

Maulvi ABDUL HAKIM: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Mr. B. C. Chatterjee, and

Maulvi Abdul Hakim.

Mr. B. C. CHATTERJEE: It is not possible for me to attend the sittings of the Select Committee; I have not the time. He has got my consent, but I dissent.

Mr. PRESIDENT: Then the name of Mr. B. C. Chatterjee will be omitted.

The following motion was called but not moved:—

Mr. P. BANERJI to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Babu Jitendralal Bannerjee, and

Mr. P. Banerji.

Maulvi ABUL KASEM: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Khan Bahadur Maulvi Hafizur Rahman Chaudhuri, and

Mr. A. F. M. Abdur-Rahman.

The following motions were called but not moved:—

Maulvi AZIZUR RAHMAN to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Maulvi Abdul Hamid Shah, and

Maulvi Azizur Rahman.

Maulvi NURAL ABSAR CHOUDHURY to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Maulvi Muhammad Hossain, and

Maulvi Abdul Ghani Chowdhury.

Maulvi NUR RAHMAN KHAN EUSUFJI: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Mr. A. F. M. Abdur-Rahman, and

Maulvi Nur Rahman Khan Eusufji.

The following motion was called but not moved:—

Maulvi MUHAMMAD SOLAIMAN to move that after the name of Mr. Girish Chandra Sen the following name be inserted, namely:—

Maulvi Abul Kasem.

Babu JATINDRA NATH BASU: I beg to move that after the name of Mr. Girish Chandra Sen the following names be inserted, namely:—

Maharaja Sris Chandra Nandi, of Kasimbazar,

Babu Profulla Kumar Guha,

Maulvi Abul Kasem,

Mr. Sarat Chandra Bal,

Mr. W. C. Wordsworth,

Babu Jitendralal Bannerjee, and

Mr. A. F. M. Abdur-Rahman.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I appeal to the members of this House to withdraw all these amendments. The difficulties at an unwieldy Select Committee are obvious. This Bill has 542 clauses, and it is not possible to finish it if the Select Committee becomes too big. We have selected persons who have experience of the working of municipalities, and persons who were on the advisory committee. We have also selected members from the different groups of the House. I am, however, prepared to accept the amendment moved by Mr. Jatindra Nath Basu if that will satisfy the House. Otherwise I shall oppose all the amendments. It is not my pleasure to oppose the amendments of hon'ble members, but I hope they will appreciate the difficulties of working with an unwieldy Select Committee.

Mr. B. C. CHATTERJEE: May I suggest one person from each division? In that case none of the divisions will be unrepresented.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: If the House can come to some arrangement, and suggest four or five names, I have no objection. But there is no amendment in which all the divisions are represented.

Mr. PRESIDENT: I am afraid this should have been done outside the Chamber, and I cannot allow this within the Chamber.

Reverend B. A. NAG: It is nearly time for us to adjourn for prayer. If we do that now, it may be possible for us to come to some compromise.

Babu SATISH CHANDRA RAY CHOWDHURY: The Hon'ble Minister himself can propose an amendment.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It is not for me to pick and choose.

Mr. PRESIDENT: The Hon'ble Minister does not want to have a large committee; but if he wishes to compromise, I shall give him an opportunity for discussing the matter during the adjournment, and the result may be communicated to me when we reassemble.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: By way of compromise I may suggest that I am prepared to accept the amendment of Mr. Jatindra Nath Basu. It is not possible for me to go beyond that. However, if Mr. Chatterjee can settle the matter during the adjournment, and move an agreed amendment, I shall have no objection.

[At 4-15 p.m. the Council was adjourned for prayer and it reassembled at 4-30 p.m.]

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I am awaiting for an agreed list.

Mr. PRESIDENT: Is the list ready? I do not think I can give you more time.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I think, Sir, Mr. Basu in consultation with Mr. Chatterjee is going to move something.

Mr. PRESIDENT: Mr. Basu's motion is already before the House. Is he going to move a new motion or amend the one already before us?

Babu JATINDRA NATH BASU: It has been pointed out that the members whose names I have proposed are not representatives of the divisions. So I propose Babu Khetter Mohan Ray who comes from the Chittagong division and Khan Sahib Maulvi Muazzam Ali Khan in place of Maharaja Sris Chandra Nandy and Babu Profulla Kumar Guha.

The motion that after the name of Mr. Girish Chandra Sen, the following names be added, *viz.*, Babu Khetter Mohan Ray, Khan Sahib Maulvi Muazzam Ali Khan, Maulvi Abul Kasem, Mr. Sarat Chandra Bal, Mr. W. C. Wordsworth, Babu Jitendralal Bannerjee and Mr. A. F. M. Abdur-Rahman, was then put and a division taken with the following result:—

AYES.

Bal, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Bannerjee, Babu Jitendralal.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Das, Rai Bahadur Satyendra Kumar.
Guha, Babu Profulla Kumar.
Hakim, Maulvi Abdul.
Hoque, Kazi Emdadul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Reverend B. A.
Rahman, Mr. A. F. M. Abdur-
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mohan.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hoseni.
Ray, Mr. Saiteswar Singh.
Ray Choudhuri, Babu Hem Chandra.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.

NOES.

Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Maulvi Nurul Absar.
Forrester, Mr. J. Campbell.
Ghose, Dr. Amulya Ratan.
Guha, Mr. P. N.
Maiti, Mr. R.
Nag, Babu Suk Lal.
Rahman, Maulvi Azizur.
Roy, Mr. Sarat Kumar.

The Ayes being 23 and the Noes 10, the motion was carried.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Has the consent of the members concerned been taken?

Mr. PRESIDENT: I presume so. I am informed by the mover that he has taken their consent.

It has been mentioned to me that the amendment which has just been carried was the result of the compromise arrived at among all the members, but I do not know how far that is true. If my information is correct, I would like to put the original motion of the Hon'ble Minister together with that amendment as one motion. If the House does not resist it, I shall take it that the House is not inclined to consider or support the other amendments, which in that case need not be moved to save the time of the Council.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. My point is this. Supposing we reject this motion, then the result will be that the Bill cannot go to the Select Committee at all. We all like the Bill to go to the Select Committee, but there are certain members who would like to add more names to the Select Committee. If the motion you are going to put before the House is rejected, the result will be that there would be no Select Committee at all.

Mr. PRESIDENT: That is a point no doubt; but such a thing cannot happen if the compromise is a reality. However, as a dissenting voice has been raised, I shall take up all the outstanding amendments one by one.

4-45 p.m.

The following motion of Dr. Amulya Ratan Ghose was then put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following names be inserted, namely:—

Babu Kishori Mohan Chaudhuri,

Dr. Amulya Ratan Ghose,

Maulvi Tamizuddin Khan,

Babu Satyendra Nath Roy, and

Dr. Naresh Chandra Sen Gupta."

The following motion of Maulvi Syed Osman Haider Chaudhuri was then put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following names be inserted, namely:—

Haji Badi Ahmed Chowdhury,

Maulvi Muhammad Hossain,

Maulvi Abdul Ghani Chowdhury, and

Maulvi Nural Absar Choudhury."

The following motion of Haji Badi Ahmed Chowdhury was then put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following names be inserted, namely:—

Rai Kamini Kumar Das Bahadur, M.B.E.,

Maulvi Tamizuddin Khan,

Maulvi Syed Osman Haider Chaudhuri, and

Haji Badi Ahmed Chowdhury."

The following motion of Khan Sahib Maulvi Muazzam Ali Khan was then put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following names be inserted, namely:—

Maulvi Abdul Ghani Chowdhury, and
Maulvi Nur Rahman Khan Eusufji."

The following motion of Maulvi Syed Jalaluddin Hashemy was then put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following names be inserted, namely:—

Dr. Naresh Chandra Sen Gupta,

Maulvi Hassan Ali, and

Maulvi Syed Jalaluddin Hashemy."

The following motion of Babu Hem Chandra Roy Choudhuri was, by leave of the Council, withdrawn:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following names be inserted, namely:—

Rai Kamini Kumar Das Bahadur, M.B.E., and

Babu Hem Chandra Roy Choudhuri."

The following motion of Mr. R. Maiti was then put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following names be inserted, namely:—

Babu Satish Chandra Ray Chowdhury,

Dr. Naresh Chandra Sen Gupta,

Babu Suk Lal Nag, and

Mr. R. Maiti."

The following motion of Rai Sahib Panchanan Barma was put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following names be inserted, namely:—

Babu Nagendra Narayan Ray,

Babu Amulyadhan Ray, and

Rai Sahib Panchanan Barma, M.B.E.,"

The following motion of Babu Khetter Mohan Ray was put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following name be inserted, namely:—

Babu Satish Chandra Ray Chowdhury."

The following motion of Maulvi Abdul Hakim was put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following name be inserted, namely:—

Maulvi Abdul Hakim."

The following motion of Maulvi Abul Kasem was put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following name be inserted, namely:—

Khan Bahadur Maulvi Hafizur Rahman Chaudhuri."

The following motion of Maulvi Nur Rahman Khan Eusufji was put and lost:—

"That after the name of Mr. A. F. M. Abdur-Rahman, the following name be inserted, namely:—

Maulvi Nur Rahman Khan Eusufji."

The following motion of the Hon'ble Mr. Bijoy Prasad Singh Roy, as amended by the Council, was then put and agreed to:—

"That the Bengal Municipal Bill, 1932, be referred to a Select Committee consisting of the Hon'ble Mr. Bijoy Prasad Singh Roy, Mr. S. M. Bose, Khan Bahadur Maulvi Alimuzzaman Chaudhuri, Rai Keshab Chandra Banerji Bahadur, Khan Bahadur Maulvi Azizul Haque, Rai Satyendra Kumar Das Bahadur, Munindra Deb Rai Mahasai, Mr. Narendra Kumar Basu, Khan Bahadur Muhammad Abdul Momin, Mr. J. E. Ordish, Mr. C. W. Gurner, Mr. Girish Chandra Sen, Babu Khetter Mohan Ray, Khan Sahib Maulvi Muazzam Ali Khan, Maulvi Abul Kasem, Mr. Sarat Chandra Bal, Mr. W. C. Wordsworth, Babu Jitendralal Bannerjee and Mr. A. F. M. Abdur-Rahman, with instruction to submit their report as soon as possible and that the number of members whose presence shall be necessary to constitute a quorum shall be five."

Prorogation.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to announce that the Bengal Legislative Council stands prorogued.

APPENDIX.

Unveiling of the portrait of the late Hon'ble Maharaja Kshaunish Chandra Ray Bahadur, of Nadia, in the Council Chamber at the Council House, on the 21st March, 1932, by His Excellency the Right Honourable Sir Francis Stanley Jackson, P.C., C.C.I.E., Governor of Bengal.

[At 2-30 p.m., His Excellency the Governor entered the Council Chamber with the Hon'ble the President and at the request of the Hon'ble the President took his seat on the Presidential Chair, the Hon'ble the President being seated on His Excellency's right.

There was a large attendance of members and the visitors' galleries were crowded with ladies and gentlemen, representing different sections of the public.]

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Your Excellency, the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia died on the 22nd May, 1928. On the 31st of July a public meeting organised by the British Indian Association and convened by the Sheriff of Calcutta was held at the Town Hall to give expression to the deep sense of sorrow and of irreparable loss of the people of this Province. Your Excellency was pleased to take the Chair. The meeting appointed a committee to take steps to perpetuate the memory of the deceased. Funds were raised for the purpose and the committee decided that the memorial should take the form of a life-size portrait in oil of the late Maharaja Bahadur and that it should be made over to the Bengal Legislative Council, of which body he was a member from the beginning of the Reformed Constitution up to his last day—first as an elected representative of the Nadia non-Muhammadan constituency from 1921 to 1923 and then as a Member of the Bengal Executive Council from August, 1924. He was appointed Leader of the House in 1927, and was responsible for the Bengal Tenancy (Amendment) Bill though it went through the Council after his death. Sir, it was in this House that the late Maharaja made mark as an acute man of affairs, a councillor of sound judgment and ability, as a noble servant of the State genuinely devoted to the cause of his country. By his genial temper, keen sense of humour and sympathetic treatment he won the love and admiration of many at a time when actions taken with the best of motives by a Member of Government were liable to be misunderstood and misinterpreted, when the spirit of destruction reigned supreme and the whole political atmosphere of Bengal was surcharged with mutual distrust and hatred.

In this difficult situation the late Maharaja Bahadur could secure the friendship and respect of persons belonging to different political parties and holding diverse political views irrespective of their nationality, caste or creed without sacrificing his own political principles or hesitating to act up to his conviction. It was a triumph of his personality over his environments—a fact which made him a real link between the public of Bengal and the Government, between the officials and the non-officials. To the people he proved to be a champion of their cause in the Cabinet and, I believe, to Government a trusted adviser. These traits of character endeared him to the public of Bengal and his untimely death was deeply and widely mourned by them. This portrait, Sir, is a token of their respect to his memory. On behalf of the committee it is my privilege to present it to the Bengal Legislative Council in the hope that it will be well preserved as a national memento of one so dear to Bengal. Sir, in time this hall will be the repository of many such mementoes of talented leaders and sagacious statesmen, who will mould the nation's life and make its history; we hope that this portrait too will find a suitable place by the side of them and that the memory of the late Maharaja Kshaunish Chandra Ray Bahadur will go down to posterity with that of his illustrious ancestor, Maharaja Krishna Chandra Ray of Nadia, the leader of Hindu society in Bengal in the 18th century and patron of art and literature. His memory is evergreen with the people and is gratefully cherished for his munificence still enjoyed by a large section of our countrymen.

This portrait has been painted by Mr. Pulin Behari Coondoo, well-known for his many paintings in Calcutta and in the courts of several ruling chiefs. It is a matter of sincere satisfaction to the members of the memorial committee to be able to get the portrait completed in time to have the privilege of it being unveiled by Your Excellency before you leave Bengal. I respectfully request you, Sir, to unveil it.

HIS EXCELLENCY the GOVERNOR: Mr. Singh Roy and gentlemen, I readily availed myself of your kind invitation to take part in to-day's ceremony and I welcomed the opportunity which it afforded me, before leaving Bengal, to pay my tribute to one for whom I had a great regard as a colleague and a friend.

I well remember the public meeting to which you, Mr. Singh Roy, have referred and I have not forgotten the remarkable demonstration of feeling on that occasion both on the platform and throughout the Hall when prominent men of all castes, creeds and political thought joined in an expression of genuine sympathy and respect for one whose unexpected death had come as a severe shock to all who knew him.

I can fully endorse all that you have said in your eloquent tribute to the Maharaja Bahadur's personal qualities. At the age of 20 he

succeeded his illustrious father, the late Maharaja Bahadur Kshitish Chandra Ray, as head of an ancient and highly respected family. The Maharaja Bahadur was rightly proud of his ancient lineage. His family had been settled in Bengal for over 900 years, during which period many of them had rendered conspicuous service to their country. The record of their patronage of learning and their generosity to religious men not merely of the Hindu faith is well known and is a source of justifiable pride.

On the death of his father the Maharaja Bahadur at once proceeded to fit himself to carry out the responsibilities of his position and to train himself for useful service to his people and to the State. He was elected the first non-official Chairman of the District Board of Nadia in 1920 and in the same year he entered the first Reformed Bengal Legislative Council. For four years he sat in the Council as an elected member for Nadia until he was chosen to succeed Mr. Bhupendra Nath Basu as a Member of the Bengal Executive Council. As a member he soon proved himself possessed of qualities of judgment and political sagacity which led to his appointment as Leader of the House in 1927. As you have, Sir, reminded us, at that time political feeling ran high and the position of the Leader of the House required patience, tact, courage and political wisdom in the highest degree.

As a colleague one recognised in him a man of principle with the courage of his convictions and a capacity to champion them without fear. He was in the best sense a patriotic Indian, an ardent devotee to his country's political advancement. I have no doubt that if the Maharaja were with us to-day he would rejoice at the prospect of the additional political responsibility which is foreshadowed and he would urge with all his might the hastening of the day by constructive support. Any one who had the privilege of his friendship will never forget his genial and kindly disposition, his priceless sense of humour and the almost boyish delight with which he entertained his friends.

The Maharaja Bahadur died on the 22nd of May, 1928. It was a matter of much regret that he did not survive to receive the honour of the Knight Commander of the Most Eminent Order of the Indian Empire which His Majesty the King Emperor had authorised, as was disclosed by a special announcement in the *Gazette*, promulgated by His Majesty's Command.

The picture which I am now to unveil is to be handed over to this Council House for safe custody. I have not seen the picture, but I understand that the Artist has achieved a very successful likeness. The picture will remind all who look upon it of one who during his much too limited period served Bengal well and whose career held out much

promise for the future. The privilege of having one's memory perpetuated by a portrait within the precincts of a Parliament House will, I do not doubt, be jealously guarded and though it should be the aim of all to aspire to the honour, it can only be for the few to attain to it. I feel, however, that in the case of the late Maharaja Bahadur no one will question his right to such a distinction. I now unveil the picture of Maharaja Bahadur Kshaunish Chandra Ray, a noble son of Bengal and a fine Indian gentleman.

The Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, of Santosh: Your Excellency and gentlemen, an English writer and thinker of great eminence has very rightly observed that the most pleasing exercise of the heart is gratitude, and it gives me great pleasure to offer to you, Sir, on behalf of the members of the Maharaja of Nadia Memorial Committee, our respectful and heartfelt thanks for the kind and generous manner in which you, Sir, have responded to our invitation to come here to unveil the portrait of the late lamented Maharaja Bahadur. It is no exaggeration, Sir, when I say that you have already given many convincing and, I should add, undying proof of your sincerity and constancy which have made a profound impression on the impressionable minds of our people. To-day, you have made those impressions deeper and certainly ineradicable by giving another tangible and unmistakable proof of those noble traits of your character; by showing that you do not forget those who were drawn near to you through works or close association even when they were not in the land of living. I can assure you, Sir, if such an assurance is at all needed, that such nobility of your soul and genuineness will not be forgotten in Bengal and will keep your name alive even when you have ceased to be our Governor.

With your permission, Sir, I would now like to touch very briefly upon to-day's ceremony. I deem it a melancholy privilege to take part in the proceedings of this memorial meeting. I call it melancholy because it accentuates our grief for the loss of one whom we were not prepared to lose. It awakens within our minds the consciousness of the void which his death has created in our midst, it intensifies and quickens our ceaseless desire to wage war against the inevitable, and rebel against fate, however inexorable, to get back in our fold the lost one, so that we may once again live together, work together, and spend our lives together in a common service. Sir, the portrait which you have unveiled to-day brings him to our mind in the vividness of reality, and seems to conquer the tyranny of death although it leaves the prospect of our meeting him on this side of our journey's end as remote as ever. The wound which his death inflicted on us, tragic as it was for its suddenness and prematurity, has really ripped open the wound, to-day. We feel afresh, as we did when the blow first came upon us, that his death was a pure accident, that he was ruthlessly torn away from us by the cruel

hands of death with the mission of his life unfulfilled, his dreams unrealised and his promising career unfinished and incomplete. His portrait will give us some solace and comfort and enable us to bear his disappearance without losing our love and esteem for him, and the noble words, pregnant with meaning, which have fallen from your Excellency's lips in appreciation of the value of the services which he rendered to the cause of his country and countrymen during his life time, will make it possible for us to realise with Emerson that though abyss open under abyss and opinion displace opinion, all are at last contained in the eternal cause.

Gentlemen, I would now ask you all to carry the vote of thanks I have proposed to His Excellency the Governor, by warm and enthusiastic acclamation. [Applause.]

[His Excellency the Governor then left the Chamber. The portrait was then reviewed by the ladies and gentlemen present.]

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